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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 40

October 7, 1946 - June 23, 1947

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MINUTES OF THE SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1946

At the Supreme Court Building, in the City of Washington, and District of Columbia, being the present Seat of the National Government of the United States, on the first Monday in October (being the 7th of the same month) in the year of our Lord one thousand, nine hundred and forty-six and of the independence of the United States the one hundred and seventy-first, The Supreme Court of the United States met agreeably to law.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Tom C. Clark, It is ordered that David L. Bazelon, Esquire, of Chicago, State of Illinois; George Howard Crane, Esquire, of Dallas, State of Texas; Frederick Stewart Gilbert, Jr., Esquire, of Jacksonville, State of Florida; and George P. Taubman, Jr., Esquire, of Long Beach, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell Berge, It is ordered that Robert L. Tollefsen, Esquire, of Kearney, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that Robert H. Givens, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of

this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General J. Howard McGrath, It is ordered that Thomas C. McCarty, Esquire, of Santa Fe, State of New Mexico, and Richard H. Burke, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Goodman, It is ordered that William Halpern, Esquire, of Los Angeles, State of California, and Norris E. Halpern, Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald R. Richberg, It is ordered that Louis F. Knoblock, Esquire, of Peoria, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Wilbur Duberstein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that Alfred A. Donaghue, Esquire, of Minneapolis, State of Minnesota, and William P. McGrath, Esquire, of Fargo, State of North Dakota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George C. Kemble, It is ordered that Walter F. Maley, Esquire, of Des Moines, State of Iowa, and James Riley McManus, Esquire, of Des Moines, State of Iowa, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert G. Pillen, It is ordered that Arthur C. Mueller, Esquire, of Hermann, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irvin Goldstein, It is ordered that Robert A. Kahn, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Cour and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest R. Feidler, It is ordered that Everett E. Smith, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ben S. Fisher, It is ordered that Jefferson L. Davis, Esquire, of Cartersville, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred L. Van Dolsen, It is ordered that Neil Tolman, Esquire, of Nelson, State of New Hampshire, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Wilmurt Ameli, It is ordered that Marcus L. Whitford, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond T. Nagle, It is ordered that Clarence G. Morse, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy C. Hackley, Jr., It is ordered that Alfred C. Aurich, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver Bassuener, It is ordered that Robert W. Geweke, Esquire, of Watertown, State of Wisconsin, and Charles S. Geier, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold I. Baynton, It is ordered that Benjamin Fisher Pollack, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Newell Blair, It is ordered that Jess N. Dalton, Esquire, of Independence, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles S. Reid, It is ordered that Croom Partridge, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles R. Fenwick, It is ordered that William S. Mundy, Jr., Esquire, of Lynchburg, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis Henkin, It is ordered that Albert J. Rosenthal, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph D. Buscher, It is ordered that William Curran, Esquire, of Baltimore, State of Maryland; T. Barton Harrington, Esquire, of Baltimore, State of Maryland; and J. Edgar Harvey, Esquire, of Salisbury, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Golden, It is ordered that Thomas G. Gray, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel B. Brown, It is ordered that Samuel W. Sherman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Carl Denbo, It is ordered that Jack J. Lande, Esquire, of Clio, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Reidy, It is ordered that R. Paul Sanford, Esquire, of Danville, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard J. Connor, It is ordered that William F. Campbell, Jr., Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving J. Levy, It is ordered that Sol D. Kapelsohn, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice P. Wolk, It is ordered that Edward I. Pollock, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Emanuel Becker, Esquire, of Los Angeles, State of California, and Philip Redmond Monahan, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Donner, It is ordered that Leonard I. Schreiber, Esquire, of New York, State of New York, and Julius Levy, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Carroll Hunter, It is ordered that Charles Mead Fistere, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert E. Rosenberg, It is ordered that Edward Norwalk, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Mr. Justice Black said:

"The President, with the advice and consent of the Senate, has appointed Fred M. Vinson, of Kentucky, to be Chief Justice of the United States. He has presented his commission which will be filed, together with his oaths which he has previously taken in the forms prescribed by law."

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Said commission and oath of Mr. Chief Justice Vinson are in the words and figures following, viz:

"HARRY S. TRUMAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all who shall see these Presents, Greeting:

KNOW YE; That reposing special trust and confidence in the Wisdom Uprightness, and Learning of FRED M. VINSON, of Kentucky, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Chief Justice of the United States and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Offic with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Fred M. Vinson, during his good behavior.

IN TESTIMONY WHEREOF, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

S E A L

Done at the City of Washington this twenty-first day of June, in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

TOM C. CLARK

Attorney General."

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"OATH OF OFFICE FOR UNITED STATES JUDGES

(Title 28, Sec. 372 and Title 5, Sec. 16,
United States Code)

I, FRED. I. VINSON of Kentucky, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as Chief Justice of the United States, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

FRED M. VINSON

Subscribed and sworn to before me this twenty-fourth day of June, 1946.

D. LAWRENCE GRONER

Ch. Justice U. S. Court
of Appeals - D. C.

Official residence Washington, D. C.
Date of birth January 22, 1890
Date of entry on duty June 24, 1946"

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The Chief Justice said:

"I announce with profound regret the death on August 24, 1946, o James Clark McReynolds, a retired Associate Justice of this Court.

"Justice McReynolds was an Assistant Attorney General of the United States from 1903 to 1907 under appointment of President Theodore Roosevelt. He served as Attorney General of the United States from March 1913 to August 1914 under appointment of President Woodrow Wilson. Then he was appointed an Associate Justice of the Supreme Court by President Woodrow Wilson, serving until his retirement, February 1, 1941.

"He was an active member of this Court for twenty-seven years. He was a vigorous, capable, determined, and forthright member. His death brought to a close a distinguished career and a life of devotion to duty. At an appropriate time, the Court will receive the resolutions of the Bar in tribute to his memory."

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The Connecticut Company,
Petitioner,
246 vs.
L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that counsel for the petitioner has filed a motion to dismiss the petition for writ of certiorari in this case

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari herein be, and the same is hereby dismissed.

Per Mr. Chief Justice Vinson.

The United States of America, et al., Appellants, vs. The State of New York, et al. — Appeal from the District Court of the United States for the Northern District of New York.

440

It appearing to the Court that counsel for the appellants have filed a motion to dismiss the appeal in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the appeal in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jed Johnson, It is ordered that Robert B. Harbison, Esquire, of Altus, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oren Harris, It is ordered that Harry C. Steinberg, Esquire, of El Dorado, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that James Melbourne Hinton, Esquire, of Akron, State of Ohio, and Solomon H. Skolnick, Esquire, of Woonsocket, State of Rhode Island, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis L. Hamby, It is ordered that Harry J. Stein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neil Brooks, It is ordered that Harry L. Marcus, Esquire, of Brooklyn, State of New York, and Herbert L. Maltinsky, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Peacock, It is ordered that William K. Miller, Esquire, of Newark, State of New Jersey; Laurence L. Crispin, Esquire, of Woodbury, State of New Jersey; and Joseph A. Murphy, Esquire, of Trenton, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph D. Pittman, It is ordered that Ernest Robertson, Esquire, of Wichita Falls, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. McShane, It is ordered that John H. Fetterhoff, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Belford Vance Lawson, Jr., It is ordered that Thaddeus B. Rowe, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Maurice Morris, It is ordered that Isaac C. Sutton, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur Duberstein, It is ordered that Frederick E. Weinberg, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Neale, It is ordered that Ernest Munsch, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Longfellow, It is ordered that Robert C. Fabic, Jr., Esquire, of Philadelphi Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Watkins, It is ordered that Benjamin Byrd Garland, Esquire, of Jackson, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walker W. Lowry, It is ordered that Burnham Enersen, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Henry Quimby, III, It is ordered that Theodore Le Blanc, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank H. Myers, It is ordered that Prentiss Ward Evans, Esquire, of Crisfield, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence O. McKay, It is ordered that Thomas J. Hughes, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard P. Whiteley, It is ordered that William L. Pack, Esquire, of Laurel, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Mead, Jr., It is ordered that Stanley Woods, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles P. Swindler, It is ordered that Hilary Dennison Mahin, Esquire, of Bartlesville, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Scharnikow, It is ordered that Sylvester S. Garfield, Esquire, of Lyndhurst, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene H. BeHage, It is ordered that John P. Geiger, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles M. Davison, Jr., It is ordered that Walter M. Nelson, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward S. Duvall, Jr., It is ordered that James A. Dilkes, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court:

W. E. Whitmore,
Appellant,
vs.
R. L. Ormsbee, Commissioner of the Bureau of Revenue, State of New Mexico.

Appeal from the District Court of the United States for the District of New Mexico.

210

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of New Mexico, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court be, and the same is hereby, granted.

IT IS FURTHER ORDERED, adjudged, and decreed by this Court that the decree of the District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

K G F L, INC.,
Appellant,
vs.
R. L. Ormsbee, Commissioner of the Bureau of Revenue, State of New Mexico.

Appeal from the District Court of the United States for the District of New Mexico.

211

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of New Mexico, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court be, and the same is hereby, granted.

IT IS FURTHER ORDERED, adjudged, and decreed by this Court that the decree of the District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Robert D. Houck, Hoyt Houck, Walter G. Russell, et al., etc.,

Appellants,

212 vs.

R. L. Ormsbee, Commissioner of the Bureau of Revenue, State of New Mexico.

Appeal from the District Court of the United States for the District of New Mexico.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of New Mexico, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court be, and the same is hereby, granted.

IT IS FURTHER ORDERED, adjudged, and decreed by this Court that the decree of the District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

General Transportation Company, A. B. C. Transportation Co., et al.,

Appellants,

276 vs.

The United States of America and Interstate Commerce Commission.

Appeal from the District Court of the United States for the District of Massachusetts.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court be, and the same is hereby, granted.

IT IS FURTHER ORDERED, adjudged, and decreed by this Court that the decree of the District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Otis Evans, Trading as Otis Evans Truck Line,

Appellant,

296 vs.

The United States of America and Interstate Commerce Commission.

Appeal from the District Court of the United States for the Western District of Virginia.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court be, and the same is here granted.

IT IS FURTHER ORDERED, adjudged, and decreed by this Court that the decree of the District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Louise McGrew Moffett and Louise McGrew Moffett, as Executrix of the Estate of Thomas S. Moffett, Deceased,

Appellants,

318 vs.

Commerce Trust Company, et al.

Appeal from the Supreme Court of the State of Missouri.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the reason that the decision of the state court sought here to be reviewed was based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Max Kut, Appellant, vs. Bureau of Unemployment Compensation of the State of Ohio, et al.

338

Appeal from the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the reason that the decision of the state court sought here to be reviewed was based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Darwyn Gallup, Appellant, vs. Township of Lower Merion.

374

Appeal from the Superior Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the Commonwealth of Pennsylvania, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Memphis Natural Gas Company, Appellant, vs. George F. McCanless, Commissioner of Finance and Taxation for the State of Tennessee.

424

Appeal from the Supreme Court of the State of Tennessee.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on motion to dismiss which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Memphis Natural Gas Company, Appellant, vs. George F. McCanless, Commissioner of Finance and Taxation for the State of Tennessee.

424

Appeal from the Supreme Court of the State of Tennessee.

TREATING the appeal papers herein from the Supreme Court of the State of Tennessee as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied

Per Mr. Chief Justice Vinson.

Rushell Bailey, Petitioner, vs. The United States of America.

220

Order allowing certiorari.

The petition herein for a writ of certiorari to the United State Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Rushell Bailey, Petitioner, vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

220

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and on the confession of error by the Government, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Indiana for appropriate proceedings.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

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O R D E R

IT IS ORDERED that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, agreeabl to the Acts of Congress in such case made and provided, and that such all ment be entered of record, viz:

For the First Circuit,	Felix Frankfurter,	Associate Justice
For the Second Circuit,	Robert H. Jackson,	Associate Justice
For the Third Circuit,	Harold H. Burton,	Associate Justice
For the Fourth Circuit,	Fred M. Vinson,	Chief Justice
For the Fifth Circuit,	Hugo L. Black,	Associate Justice
For the Sixth Circuit,	Stanley Reed,	Associate Justice
For the Seventh Circuit,	Frank Murphy,	Associate Justice
For the Eighth Circuit,	Wiley Rutledge,	Associate Justice
For the Ninth Circuit,	William O. Douglas,	Associate Justice
For the Tenth Circuit,	Wiley Rutledge,	Associate Justice
For the District of Columbia,	Fred M. Vinson,	Chief Justice

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and Ohio Oil Company.

The report of the Special Master herein is received and ordered filed. Exceptions or objections, if any, to the report of the Special Master are to be filed on or before December 2d, next.

Per Mr. Chief Justice Vinson.

William Watkins,

Petitioner,

1, Misc. vs.

State of Indiana and Ralph Howard, as Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Reavis,

Petitioner,

3, Misc. vs.

Walter G. Nierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Vialva,

Petitioner,

5, Misc. vs.

Francis C. Shaw, Director, Dannemora State Hospital, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Fields,

Petitioner,

6, Misc. vs.

W. C. Parker, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ollie Bernard Morris,

Petitioner,

7, Misc. vs.

State of Delaware.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Constantinos Drakos,

Petitioner,

8, Misc. vs.

Walter Nierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Bishop Donnell,

Petitioner,

9, Misc. vs.

B. B. Stewart, Acting Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Hanson,

Petitioner,

10, Misc. vs.

W. Frank Smyth, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence McCauley,

Petitioner,

11, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Myron Godwin,

Petitioner,

13, Misc. vs.

W. Frank Smyth, Jr., Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Miner,

Petitioner,

17, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte John Trent,

Petitioner.

21, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Wallace Bantz,

Petitioner,

23, Misc. vs.

P. J. Squier, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States ex rel. Valentine McAuliffe,

Petitioner,

26, Misc. vs.

Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert R. House,

Petitioner,

12, Misc. vs.

Nathan Mayo, Prison Custodian of Florida et al.

ON CONSIDERATION of the motions for leave to file petitions for writs of habeas corpus and certiorari herein,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil L. Wright,

Petitioner,

4, Misc. vs.

Tom C. Clark, Attorney General, et al.

ON CONSIDERATION of the application to withdraw the motion for leave to file petition for writ of habeas corpus and writ of habeas corpus,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

People of the United States ex rel.
Edward McCollister,

Petitioner,

27, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester Slivensky,

Petitioner,

2, Misc. vs.

People of the State of New Jersey.

ON CONSIDERATION of the application submitted herein by Chester Slivensky,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vergil D. McMillan, et al.,

Petitioners,

14, Misc. vs.

Francis W. Taylor, et al.

ON CONSIDERATION of the application submitted herein by Vergil D. McMillan, et al.,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Dvorak,

Petitioner,

15, Misc. vs.

E. M. Stubblefield.

ON CONSIDERATION of the application submitted herein by Paul Dvorak,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James M. Smith,

Petitioner,

16, Misc. vs.

M. J. Pescor, Warden.

ON CONSIDERATION of the application submitted herein by James M. Smith,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorsey McMahan,

Petitioner,

22, Misc. vs.

Tom C. Clark, Attorney General.

ON CONSIDERATION of the application submitted herein by Dorsey McMahan,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Orville Legrand Brown,

Petitioner.

28, Misc.

ON CONSIDERATION of the application submitted herein by Orville Legrand Brown,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of James L. P. Rumble,

Petitioner.

29, Misc.

ON CONSIDERATION of the application submitted herein by James L. Rumble,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Ralph K. Betz,

Petitioner.

18, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Ex parte Kathleen B. Nash Durant,

Petitioner.

19, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Ex parte William Raymond Wills,

Petitioner.

24, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Ex parte Rudolph Cutino,

Petitioner.

25, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Ex parte Daniel P. Walczak,

Petitioner.

30, Misc.

ON CONSIDERATION of the motion for leave to file a petition for wri of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Ex parte William C. McKinley,

Petitioner.

31, Misc.

ON CONSIDERATION of the motion for leave to file a petition for wri of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Ex parte George B. Murphy,

Petitioner.

32, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the want of original jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Rutledge are of the opinion that as in Ex parte Hawk, 321 U. S. 114 (see also White v. Ragen, 324 U. S. 760, 765) where this Court declined to entertain an application for relief by habeas corpus, the petition for habeas corpus should be denied without prejudice to its being filed in the appropriate District Court. See Ex parte Endo, 323 U. S. 283, 304-306. Mr. Justice Murphy is of the view that this petition raises questions as to jurisdiction and proper procedure which should be heard and determined by this Court.

Gath P. Freeman, Trustee Under the Will and of the Estate of Henry C. Starr, Deceased,

Appellant,

3 vs.

Gilbert K. Hewitt, Director of Gross Income Tax Division, Department of Treasury, State of Indiana.

The death of Gath P. Freeman having been suggested,

It is, on motion of counsel for appellant, ordered that Almira G. Freeman, successor trustee under the will and of the estate of Henry C. Starr, deceased, be substituted as the party appellant and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

General Leland S. Hobbs, Post Commanding Officer, Fort Dix, New Jersey,

Petitioner,

58 vs.

United States ex rel. Harry Horowitz; and

General Leland S. Hobbs, Post
Commanding Officer, Fort Dix,
New Jersey,

Petitioner,

59 vs.

United States ex rel. Jacob S. Samuels.

ON CONSIDERATION of the motion of Mr. Solicitor General McGrath t substitute as the party petitioner herein Major General W. W. Eagles, successor to Major General Leland S. Hobbs, commanding officer of Fort Dix, New Jersey,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted; and that the causes be continued and maintained as prayed in said motion.

Per Mr. Chief Justice Vinson.

George Harris,

Petitioner,

34 vs.

The United States of America.

ON CONSIDERATION of the motion of the petitioner for leave to pro ceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The Interstate Commerce Commission,

Appellant,

72 vs.

A. L. Mechling, Doing Business Under the Trade Name and Style of A. L. Mechling Barge Line, et al.

ON CONSIDERATION of the motion as to the printing of the record i this case,

IT IS FURTHER ORDERED that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

514 vs.

Maria R. Lauro, as Administratrix
of the Goods, Chattels, and Credits
of Peter Lauro, Deceased.

This case is transferred to the summary docket and assigned for argument immediately following No. 69.

Per Mr. Chief Justice Vinson.

George E. Hickman, as Administrator
of the Estate of Norman E. Hickman,
Deceased,

Petitioner,

47 vs.

John M. Taylor and George Anderson,
Individually, etc., et al.

ON CONSIDERATION of the motion of the United Railroad Workers of America for leave to present oral argument as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

253 vs.

The Pullman Company, et al.;

Otis & Co.,

Appellant,

254 vs.

The United States of America, et al.;

The Chesapeake & Ohio Railroad Company, et al.,

Appellants,

255 vs.

The United States of America, et al.; and

Glore, Forgan & Co.,

Appellant,

256 vs.

The United States of America, et al.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this question.

Marion B. Kotch, John L. Richards, Adolph Clark, et al.,

Appellants,

291 vs.

Board of River Port Pilot Commissioners for the Port of New Orleans, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

State of New York, State of Delaware, et al.,

Appellants,

343 vs.

The United States of America, Interstate Commerce Commission, et al.;

Horace A. Hildreth, Governor of the State of Maine, Charles M. Dale, Governor of the State of New Hampshire, et al.,

Appellants,

344 vs.

The United States of America, et al.; and

The Atchison, Topeka and Santa Fe Railway Company, et al.,

Appellants,

345 vs.

The United States of America, et al.

The statements of jurisdiction, motion to advance and motion for a diminution of the printed record in these cases having been submitted and considered by the Court, probable jurisdiction is noted. The motion to advance is granted and the cases are assigned for argument on Monday, January 6, next. On consideration of the motion for a diminution of the printed record, it is denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company,

Appellant,

385 vs.

M. E. Thompson, State Revenue Commissioner of the State of Georgia.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The Confederated Bands of the Ute Indians,

Petitioners,

141 vs.

The United States.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Edgar S. Albrecht and Geraldine Albrecht, His Wife, et al., — Order allowing certiorari.

Petitioners,

148 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Edward J. Linnenbringer, — Order allowing certiorari.

Petitioner,

149 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Dennis B. Pitman and May Dell Pitman, — Order allowing certiorari.

Petitioners,

150 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

A. Ray Oliver, Executor of the Estate of Lola Castlio Oliver, Deceased, et al., — Order allowing certiorari.

Petitioners,

151 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Q. W. S. S. Realty and Investment Company, — Order allowing certiorari.

Petitioner,

155 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Transparent-Wrap Machine Corporation, — Order allowing certiorari.

Petitioner,

208 vs.

Stokes & Smith Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Adam A. Adams, Order allowing certiorari.

Petitioner,

209 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert P. Patterson, Secretary of War, et al., Order allowing certiorari.

Petitioners,

229 vs.

James John Lamb.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

235 vs.

Standard Oil Company of California and Ira Boone.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Conway C. Craig, Bob McCracken and Tom Mulvany,

Petitioners,

241 vs.

John B. Harney, Sheriff of Nueces County, Texas.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Criminal Appeals of the State of Texas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Industrial Commission of Wisconsin, Leo Thomas Kopp and State of Wisconsin,

Petitioners,

270 vs.

E. E. McCartin and Continental Casualty Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Wisconsin is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

335 vs.

The Nashville, Chattanooga & St. Louis Railway.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

536 vs.

Portland Terminal Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Joseph S. Fay,

Petitioner,

377 vs.

The People of the State of New York.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

James Bove,

Petitioner,

452 vs.

The People of the State of New York.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

People of the State of New York, ex rel. Rose Halvey,

Petitioner,

384 vs.

John F. Halvey, Custodian of John Arthur Halvey.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mexican Light & Power Company, Ltd.,

Petitioner,

404 vs.

The Texas Mexican Railway Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Texas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

429 vs.

Leslie Fullard-Leo, Ellen Fullard-Leo, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harry O. Pauly, Order allowing certiorari.

Petitioner,

443 vs.

Wilson McCarthy and Henry Swan,
Trustees of the Denver and Rio
Grande Western Railroad Company.

The petition herein for a writ of certiorari to the Supreme Court of the State of Utah is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

106 vs.

The Thayer-West Point Hotel Company.

The petition herein for a writ of certiorari to the Court of Claims is granted and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Zachary Bozza, Order allowing certiorari.

Petitioner,

190 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Frank A. Cardillo, Deputy Commissioner, United States Employees' Compensation Commission,

Petitioner,

265 vs.

Liberty Mutual Insurance Company, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John Myers,

Petitioner,

367 vs.

Reading Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

United States National Bank in Johnstown and First National Bank of South Fork,

Petitioners,

371 vs.

Chase National Bank of the City of New York and Lester Larimer, Trustee.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

The United States of America, Order allowing certiorari.

Petitioner,

430 vs.

Ogilvie Hardware Company, Inc.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Aetna Casualty & Surety Company and J. A. Jones Construction Company, Order allowing certiorari.

Petitioners,

432 vs.

Mrs. Fannie M. Flowers.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

94 vs.

N. Y. Rayon Importing Co., Inc. (#2) and Alfred L. Rose, Norman S. Goetz, et al.

The petition herein for a writ of certiorari to the Court of Claims is granted, and the case is transferred to the summary docket and assigned for argument immediately following No. 106, United States vs. Thayer-West Point Hotel Co.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

N. Y. Rayon Importing Co., Inc. (#2) and Alfred L. Rose, Norman S. Goetz, et al.,

Petitioners,

96 vs.

The United States.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Claims is granted, and the case is transferred to the summary docket and assigned for argument immediately following Nos. 106 and 94.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Eugene Koster,

Petitioner,

206 vs.

(American) Lumbermens Mutual Casualty Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted, and the case is transferred to the summary docket and assigned for argument immediately following No. 93, Gulf Oil Corporation vs. Gilbert.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Emory S. Land (Chairman, United States Maritime Commission), Howard L. Vickery (Vice Chairman, United States Maritime Commission), et al.,

Petitioners,

207 vs.

R. Stanley Dollar, Dollar Steamship Line, et al.

ON CONSIDERATION of the motions filed by the Solicitor General to substitute parties,

IT IS ORDERED that Richard Parkhurst be substituted as a party petitioner in the place and stead of Howard L. Vickery, deceased, and that W. M. Smith and Grenville Mellen, present members of the United States Maritime Commission, be added as parties petitioner. Further consideration of the question of eliminating Emory S. Land and Edward Macauley as parties petitioner is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of these motions.

Emory S. Land (Chairman, United States Maritime Commission), Richard Parkhurst (Vice Chairman, United States Maritime Commission), et al., — Order allowing certiorari.

Petitioners,

207 vs.

R. Stanley Dollar, Dollar Steamship Line, The J. Harold Dollar Estates Company, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Teodoro Cantos, Also Known as Teodoro Tatishi,

Petitioner,

264 vs.

Lieutenant General Wilhelm D. Styer, Commanding General, United States Army Forces.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the Commonwealth of the Philippines is granted and the case is assigned for argument immediately following No. 145, Uyeki vs. Styer, etc.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

J. Robert Bazley,

Petitioner,

287 vs.

Commissioner of Internal Revenue.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is assigned for argument immediately following No. 209, Adams vs. Commissioner.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Northern Pacific Railway Company,

Petitioner,

400 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket and assigned for argument immediately following No. 57, U. S. vs. Atlantic Coast Line R. R. Co.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

A. N. Cone, Petitioner,

184 vs.

West Virginia Pulp and Paper Co.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit is granted, limited to the questions of federal procedure raised by the petition for the writ.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

R. H. Crowley, Petitioner,

99 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Silas Mason Company, Inc., Walsh Construction Company, Atkinson-Kier Company, Petitioners,

100 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Kirby Lumber Company, Petitioner, vs. Denman Kountze, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

104

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. C. D. Bynum, Individually, etc., Petitioner, vs. Phillips Petroleum Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

107

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence J. Thompson, Petitioner, vs. The State of Georgia. — On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

108

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Georgia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Merchants and Manufacturers Association of Los Angeles,

Petitioner,

109 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles M. Crowhurst, et al.,

Petitioners,

110 vs.

Joseph Grasso.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The State of Texas,

Petitioner,

111 vs.

Antonio C. Chuoke, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. L. Lewellyn,
Petitioner,
113 vs.
Joseph B. Fleming and Aaron Colnon, Trustees of the Chicago, Rock Island & Pacific Railway Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walton-Viking Company,
Petitioner,
116 vs.
Walter Kidde & Company, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. D. Witter and Joseph Willens,
Petitioners,
117 vs.
G. J. Nikolas, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. L. O'Neal, Administrator,
Petitioner,
118 vs.
Union Producing Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Waite Blanchard, Jr.,
Petitioner,
120 vs.
Casper W. Ooms, Commissioner of Patents.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marie Cooper Dieckhaus,
Petitioner,
121 vs.
Twentieth Century-Fox Film Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The People of the State of California,
Petitioner,
123 vs.
Elmer W. Edmondson.

On petition for writ of certiorari to the Superior Court in and for the County of Los Angeles, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court in and for the County of Los Angeles, State of California, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Brooks, Thomas Adametz, John Braen, et al.,
Petitioners,
125 vs.
The United States of America, ex rel. David Bayarsky.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Reid,
Petitioner,
126 vs.
Sandy Lynn Nelson, an Infant, by Edna Nelson, Her Next Friend, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Seven Up Company,
Petitioner,
127 vs.
Cheer Up Sales Company of St. Louis, Missouri, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Liberty Mutual Insurance Company and Contractors Pacific Naval Air Bases, an Association,
Petitioners,
128 vs.
Warren H. Pillsbury, Deputy Commissioner of the United States Employees' Compensation Commission for the 13th Compensation District and Walter L. Wood.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John H. Chatz, Trustee in Bankruptcy of Hoaglund & Allum Co., Inc.,
Petitioner,
133 vs.
Midco Oil Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Continental Bank & Trust Company of New York, as Trustee Under an Indenture of Trust Dated December 8th, 1932,

Petitioner,

135 vs.

Dora Winter.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. Gates Lloyd,

Petitioner,

136 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Third National Bank in Nashville,

Petitioner,

137 vs.

Federal Savings and Loan Insurance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Third National Bank in Nashville,
Petitioner,
138 vs.
Federal Deposit Company of Maryland.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

San Geronimo Development Company, Inc.,
Petitioner,
143 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Helen C. Calvert,
Petitioner,
144 vs.
Charles Henry Smith, et al.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Zeola Martin Rimbow, et al., Doing Business in the Firm Name of Huckaby Funeral Service,

Petitioners,

146 vs.

Rose Esther Rimbow, et al.

On petition for writ of certiorari to the Court of Civil Appeals, 1st Supreme Judicial District, State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals, 1st Supreme Judicial District, State of Texas, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert W. Barnes,

Petitioner,

152 vs.

The People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. M. George-Howard and Wooddy Swearingen,

Petitioners,

156 vs.

Federal Deposit Insurance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Archibald Hedrick,
Petitioner,
157 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. E. Haddock, Limited and United Pacific Insurance Company,
Petitioners,
158 vs.
Warren H. Pillsbury, Deputy Commissioner, and Hugh A. Voris, Assistant Deputy Commissioner, of the United States Employees' Compensation Commission for the 13th Compensation District, and Adela P. Much.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Crawford & Doherty Foundry Company,
Petitioner,
161 vs.
Paul A. Porter, Administrator of the Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. Moffat Company,
Petitioner,
162 vs.
Southern Pacific Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Union Sheep Company,
Petitioner,
163 vs.
Southern Pacific Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Peeler,
Petitioner,
165 vs.
Mrs. Essie Cook Caver Peeler.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Volkringer, Also Known as Tony E. Volkringer,

Petitioner,

166 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Alfano,

Petitioner,

177 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anchor Serum Company, a Corporation of Missouri,

Petitioner,

185 vs.

American Cooperative Serum Association, a Corporation of Iowa.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Illinois Farm Bureau Serum Association, a Corporation of Illinois,

Petitioner,

186 vs.

American Cooperative Serum Association, a Corporation of Iowa.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Realty Operators, Inc.,

Petitioner,

187 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henderson (Partnership),

Petitioner,

188 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurence M. Williams, as Liquidator of Sterling Sugars, Inc., Formerly a Louisiana Corporation, and Sterling Sugar Sales Corporation,

Petitioners,

189 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mishawaka Rubber and Woolen Manufacturing Company,

Petitioner,

217 vs.

Panther-Panco Rubber Co., Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lindsay Powell,

Petitioner,

219 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Goin,
Petitioner,
221 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. K. Dunscombe,
Petitioner,
224 vs.
Scott W. Loftin and John W. Martin, as Trustees of Florida East Coast Railway Co., Debtor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William A. Dyer, Lulu Lynch, Administratrix of the Estate of Everett Dyer, Deceased, et al.,
Petitioners,
226 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Troy Laundry Company and P. H. Miller, Vice President of Troy Laundry Company, - Petitioners, vs. W. Willard Wirtz, Chairman of the National Wage Stabilization Board. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

228

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin Charles Beauchamp, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

230

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry M. Ladrey and Eva W. Ladrey, Petitioners, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

236

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Meltzer and Bertha Meltzer, Petitioners, vs. Commissioner of Internal Revenue.

239

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Wolpe, et al., Petitioners, vs. Harry Poretsky, et al.

243

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewey Schmoll, Successor Assignee for Benefit of Creditors, etc., and National Surety Corporation, Petitioners, vs. The United States.

244

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy G. Fitzgerald,
Petitioner,
245 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

May Department Stores Company, Doing Business as Famous-Barr Company,
Petitioner,
262 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Bank of California National Association, Executor of the Estate of Margaret Eyre Girvin, Deceased,
Petitioner,
267 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

O. William Lowry,
Petitioner,
268 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry A. Gardner, Trustee of the Alton Railroad Company,
Petitioner,
269 vs.
Florence Griswold, Administratrix of the Estate of Loyal S. Griswold, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Abraham Kirschenbaum,
Petitioner,
279 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Banner, Petitioner, vs. Commissioner of Internal Revenue. 280

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David E. Cool, Petitioner, vs. International Shoe Company. 285

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sigismund Francis Swaczyk, Petitioner, vs. The United States of America. 290

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Union Metal Manufacturing Company, et al.,

Petitioners,

292 vs.

Casper W. Ooms, Commissioner of Patents.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Byerly,

Petitioner,

298 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Wilson Turner, Washington Highlands Construction Company, et al.,

Petitioners,

306 vs.

Marie McC. Deming, John R. Shields and Harvey L. Cobb.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paro Lorentz,
Petitioner,
307 vs.
R. K. O. Radio Pictures, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Asa Ray French and Glenda Beatrice French,
Petitioners,
309 vs.
Donald Linley French, a Minor, by Mildred B. French, His Mother and Next Friend.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Joseph F. De Castro, Deceased, Kings County Trust Company, Executor,
Petitioner,
317 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Chatz, Trustee in Bankruptcy of Howard Haberman, Doing Business as The Club Store, et al.,

Petitioners,

321 vs.

Armour Plant Employees Credit Union.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Chatz, Trustee in Bankruptcy of Howard Haberman, Doing Business as The Club Store, et al.,

Petitioners,

322 vs.

Andrew A. Todd, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Frank A. Vanderlip, Deceased, et al., etc.,

Petitioners,

324 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. F. Hudson and M. Isaiah Smith, Special Receivers of Fidelity Assurance Association, etc., Petitioners,

325 vs.

L. H. Brooks, Trustee, Elbridge W. Palmer, and R. L. Maloney.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel M. Coombs, Jr., Trustee in Bankruptcy of Spier Aircraft Corporation, Bankrupt, Petitioner,

328 vs.

City of Jersey City.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Crossett Western Company, Petitioner,

330 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. A. Hagan, Individually, and Doing Business as El Rey Cheese Co., et al.,

Petitioners,

331 vs.

Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

F. C. Moser,

Petitioner,

339 vs.

New York Life Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sharp & Fellows Contracting Company,

Petitioner,

341 vs.

F. P. Basler.

On petition for writ of certiorari to the District Court of Appeal of the State of California, 4th Appellate District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal of the State of California, 4th Appellate District, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Birmeli Dingman, Petitioner,
342 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Silesian American Corporation, Debtor, and Silesian Holding Company, Petitioners,
346 vs.
James E. Markham, Alien Property Custodian.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Phillips Petroleum Company, Petitioner,
347 vs.
Clay Johnson.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Suncook Valley Railroad, Petitioner; vs. Boston and Maine Railroad.

358

On petition for writ of certiorari to the Supreme Court of the State of New Hampshire.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Hampshire, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Company, Petitioner, vs. Jules Guggenheim, et al.

359

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Company, Petitioner, vs. City of Pittsburgh.

360

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Company,
Petitioner,
361 vs.
Horace P. Baker and John A. Beattie, Protective Committee for Southern Traction Company 50-Year First Mortgage, etc. Bonds.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Monongahela Street Railway Company, et al.,
Petitioners,
362 vs.
Jules Guggenheim, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Monongahela Street Railway Company, et al.,
Petitioners,
363 vs.
City of Pittsburgh.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Monongahela Street Railway Company, et al.,

Petitioners,

364 vs.

Horace F. Baker and John A. Beattie, Protective Committee for Southern Traction Company 50-Year First Mortgage etc. Bonds.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emil H. Wasserberger,

Petitioner,

372 vs.

Beatrice Altmayer Rodney and Donald T. Mullane.

On petition for writ of certiorari to the Surrogate's Court of New York County, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Surrogate's Court of New York County, State of New York, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Petit Anse Company,

Petitioner,

373 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Armour and Company,
Petitioner,
375 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coy Thompson,
Petitioner,
386 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ensley Bank and Trust Company,
Petitioner,
387 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret Bollinger and Charles W. Bollinger,

Petitioners,

388 vs.

Gotham Garage Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Trust Company of Chicago, Administrator of Estate of Elizabeth Palmer Smith, Deceased, et al., etc.,

Petitioners,

394 vs.

City of Chicago, et al.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. George C. Wright and Virgil M. Guthrie,

Petitioners,

399 vs.

William P. Mitchell.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Brooklyn National Corporation, Petitioner, vs. Commissioner of Internal Revenue.

401

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henry Ledford, William Ramsey Brock, W. B. Lint, et al., Petitioners, vs. The United States of America.

402

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Madge Christie, Petitioner, vs. George M. Cohan, et al., Executors, and Kathleen Nolan Harris, Executrix, etc.

403

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. C. Orton, D. C. Wolf, J. B. Johnston, et al., etc.,

Petitioners,

408 vs.

Group of Institutional Investors, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Herman,

Petitioner,

411 vs.

The People of the State of New York, on Complaint of Michael Fitzgerald.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nathan A. Dobbins,

Petitioner,

420 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Oil Company of Louisiana, Southern Boiler and Tank Works, Standard Supply and Hardware Company, et al.,

Petitioners,

421 vs.

Steam Sternwheel Towboat "Kongo" and Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Hedger Transportation Corporation,

Petitioner,

423 vs.

Ira S. Bushey & Sons, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Western Airlines, Inc.,

Petitioner,

426 vs.

Hilda Ogden Bratt, Barbara Ann Bratt, a Minor, by Her Guardian Ad Litem, Hilda Ogden Bratt, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
428 vs.
J. M. Beck, Mae Ward Byerly, and George Carruthers, Trustees, J. A. Byerly Trust.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Benz, Jose B. Calva, and Calva Fur Patents Corporation,
Petitioners,
441 vs.
Celeste Fur Dyeing and Dressing Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward V. Dunphy and Annabelle E. Dunphy,
Petitioners,
444 vs.
George N. Graham, Judge, Court of Common Pleas, Stark County, Ohio, et al.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Esther Crystal Pickett, Otherwise Known as E. C. Pickett,

Petitioner,

115 vs.

Chester Bowles, Administrator, Office of Price Administration.

ON CONSIDERATION of the motion to substitute Paul A. Porter, present Administrator, Office of Price Administration, in the place and stead of Chester Bowles, resigned, as the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted; and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Esther Crystal Pickett, Otherwise Known as E. C. Pickett,

Petitioner,

115 vs.

Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. B. Wood,

Petitioner,

237 vs.

Chester Bowles, Administrator, Office of Price Administration.

ON CONSIDERATION of the motion to substitute Paul A. Porter, present Administrator, Office of Price Administration, in the place and stead of Chester Bowles, resigned, as the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted; and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

C. B. Wood,
Petitioner,
237 vs.
Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mannie & Co., a Corporation, et al.,
Petitioners,
319 vs.
Chester Bowles, Administrator, Office of Price Administration.

ON CONSIDERATION of the motion to substitute Paul A. Porter, present Administrator, Office of Price Administration, in the place and stead of Chester Bowles, resigned, as the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted; and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mannie & Co., a Corporation, et al.,
Petitioners,
319 vs.
Paul A. Porter, Administrator, Office of Price Administration for and on Behalf of the United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein

to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Columbia Gas & Electric Corporation, Petitioner, vs. The United States of America, et al. 129 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of this application.

Columbia Gas & Electric Corporation, Petitioner, vs. The United States of America, et al. 130 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of this application.

Columbia Gas & Electric Corporation, Petitioner, vs. The United States of America, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

131

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of this application.

Earl C. Gibbs, Inc., Petitioner, vs. Defense Supplies Corporation and Reconstruction Finance Corporation. — On petition for writ of certiorari to the United States Emergency Court of Appeals.

147

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Atlantic Meat Company, Inc., Petitioner, vs. The Reconstruction Finance Corporation. — On petition for writ of certiorari to the United States Emergency Court of Appeals.

154

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Robert B. Blalack,
Petitioner,
232 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Arkansas Natural Gas Corporation,
Petitioner,
231 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Milner Hotels, Inc., Owner and Operator of Tyler Hotel,
Petitioner,
272 vs.
Paul A. Porter, Price Administrator, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

101 East First Street Incorporated, Owner and Operator of Milner Hotel,

Petitioner,

273 vs.

Paul A. Porter, Price Administrator, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Manny Wood Moneyman, Executrix of the Estate of David T. Moneyman, Deceased, etc., et al.,

Petitioners,

422 vs.

Matt S. Hughes, Trustee in Bankruptcy of Moneyman Hardware Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Howard University, a Corporation,

Petitioner,

160 vs.

District of Columbia.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition should be granted.

Ralph Henry Cahoon, Jr., Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

183

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition should be granted.

Joe W. Buice, Petitioner, vs. Colonel Howard S. Patterson, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

323

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion that the petition should be granted.

Bernard M. Shotkin, Petitioner, vs. Judges, Superior Court, Atlanta Circuit.

176

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin, Petitioner, vs. Judges, Superior Court, Atlanta Circuit. — On petition for writ of certiorari to the Supreme Court of the State of Georgia.

176

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raysoff Tinkoff, Petitioner, vs. The United States of America.

178

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Raysoff Tinkoff, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

178

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Bentz,

Petitioner,

247 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Theodore Bentz, Petitioner,

247 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ysabel Bibby V D A DePadilla, Executrix of the Estate of Narciso A. Padilla, Deceased,

Petitioner,

271 vs.

Concepcion Paterno V D A Deladilla.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Ysabel Bibby V D A DePadilla, Executrix of the Estate of Narciso A. Padilla, Deceased,

Petitioner,

271 vs.

Concepcion Paterno V D A DePadilla.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of the Philippines.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of the Philippines, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paysoff Tinkoff,

Petitioner,

274 vs.

West Publishing Company, et al.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Paysoff Tinkoff,

Petitioner,

274 vs.

West Publishing Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dan S. Martin, Jr.,

Petitioner,

289 vs.

Esther R. Wagner, as Executrix of the Estate of Zoe R. Martin, Deceased, et al.

ON CONSIDERATION of the suggestion of a diminution of the record and motion for writ of certiorari in that relation,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dan S. Martin, Jr., Petitioner, On petition for writ of certiorari to the Supreme Court of the State of

289 vs. Alabama.

Esther R. Wagner, as Executrix of the Estate of Zoe R. Martin, Deceased, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Grant, Jr., Doing Business as No Sleet Windshield Heater Company,

Petitioner,

378 vs.

General Motors Corporation, et al.

ON CONSIDERATION of the suggestion of a diminution of the record and motion for writ of certiorari in that relation,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible] Trask, Jr., Doing Business as No Sleet Windshield Heater Company,

Petitioner,

378 vs.

General Motors Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Russell Box Company,

Petitioner,

297 vs.

Grant Paper Box Company.

ON CONSIDERATION of the motion of Ensign Bickford Company for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Russell Box Company,

Petitioner,

297 vs.

Grant Paper Box Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marcolino Garcia and Victor Alvarez, as Executors, etc., of Manuel Diaz, Deceased, et al.,

Petitioners,

301 vs.

Pan American Airways, Inc. and R. O. D. Sullivan.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, it is ordered by this Court that the said petition be, and the same is hereby, denied for the want of a final judgment.

Per Mr. Chief Justice Vinson.

William B. Doak,

Petitioner,

266 vs.

Federal Land Bank of Baltimore.

ON CONSIDERATION of the motion to dispense with the printing of the papers in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

William B. Doak,

Petitioner,

266 vs.

Federal Land Bank of Baltimore.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earle Cowen,

Petitioner,

101 vs.

Robert A. Heinze, Warden of the State Prison at Folsom, California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. T. Waller,

Petitioner,

112 vs.

Northern Pacific Terminal Company of Oregon.

On petition for writ of certiorari to the Supreme Court of the State of Oregon.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Buss Brown,

Petitioner,

122 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Angelo Russo,

Petitioner,

132 vs.

Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard Branch.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Antonelli Fireworks Co., Inc. Amerigo Antonelli, et al.,

Petitioners,

134 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Elliott Wright,

Petitioner,

139 vs.

Anna Lohr, Administratrix of the Estate of Frank Wilson, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred Lloyd Saunders, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

153

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Elmer Davis, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

167

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Ross Wagner, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

168

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Staryak, Petitioner,
169 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Macoupin County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Staryak, Petitioner,
170 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Staryak, Petitioner,
171 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eddie Duncan, Petitioner,

172 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert George Banks, Petitioner,

173 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Wilkie, Petitioner,

174 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Pitts, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

175

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Jenkot, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

179

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Fedora and John Laska, Petitioners, vs. The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

181

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Marr, Petitioner, vs. State of Illinois. — On petition for writ of certiorari to the Criminal Court of Cook County,

191

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Kimler, Petitioner, vs. State of Illinois. — On petition for writ of certiorari to the Circuit Court of Will County,

192

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester A. Sarman, Petitioner, vs. State of Illinois. — On petition for writ of certiorari to the Circuit Court of Knox County,

193

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold A. Witt,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

194

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold A. Witt,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

195

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Mills,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

196

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph John Evans, Petitioner,

197 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proc ed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene J. Wroblewski, Petitioner,

198 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Ristich, Petitioner,

199 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Ristich, Petitioner,

200 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Ristich, Petitioner,

201 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Santos Baronia, Petitioner,

202 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Santos Baronia, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

203

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Gracros, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

204

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph F. DeViera, Petitioner, vs. Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Sangamon County, State of Illinois.

205

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Kern,
Petitioner,
213 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman Piskorz,
Petitioner,
214 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest Martin,
Petitioner,
215 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Royal Provost,

Petitioner,

216 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederic P. Wolter,

Petitioner,

215 vs.

Safeway Stores, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Mvenow,

Petitioner,

222 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur W. Miller, Petitioner, vs. The People of the State of New York. — On petition for writ of certiorari to the County Court of Onondaga County, State of New York.

223

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Jefferson Whitehead, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

227

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Custer M. Coyle, Petitioner, vs. The People of the State of California, et al. — On petition for writ of certiorari to the Supreme Court of the State of California.

233

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Dwyer, Petitioner,

234 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Jefferson County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Covington, Petitioner,

238 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Ramos, Petitioner,

240 vs.

People of the State of New York.

On petition for writ of certiorari to the Court of General Sessions, New York County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Kobley, Petitioner,
242 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Morris, Petitioner,
248 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alonzo Pridgen, Petitioner,
249 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alonzo Bridgen,

Petitioner,

250 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alonzo Bridgen,

Petitioner,

251 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Reno,

Petitioner,

257 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold McMartin,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

259

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Mr. Chief Justice Vinson.

Harry Miner,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

260

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Mr. Chief Justice Vinson.

Arthur Robinson,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

261

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Mr. Chief Justice Vinson.

Joel O. Randall, Petitioner,

263 vs.

The State of Georgia.

On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Barton Butz, Petitioner,

278 vs.

Earle Benjamin Searcy, Clerk of the Supreme Court of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ladell McKay, Petitioner,

281 vs.

State of Nevada and Richard Sheehy, Warden of State Prison.

On petition for writ of certiorari to the Supreme Court of the State of Nevada.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence C. Mason, Petitioner,
282 vs.
State of New York.

On petition for writ of certiorari to the Court of General Sessions, County of New York, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sterling Ferguson, Petitioner,
283 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Abe Miller, Petitioner,
284 vs.
State of Kansas.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Hickman,

Petitioner,

246 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Ater,

Petitioner,

293 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Warren County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Lane,

Petitioner,

294 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis J. Biancone,
Petitioner,
295 vs.
C. J. Burke, Warden, Eastern State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Palumbo,
Petitioner,
299 vs.
J. Vernel Jackson, Warden of Clinton Prison, Dannemora, New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian B. Everett,
Petitioner,
300 vs.
Wallis W. Downing.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles A. Anderson,

Petitioner,

302 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Scudieri,

Petitioner,

303 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Lott,

Petitioner,

304 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Judd,

Petitioner,

305 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Stub,

Petitioner,

308 vs.

The United States of America.

On petition for writ of certiorari to the Court of Claims of the United States.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael Connellan,

Petitioner,

310 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Westchester County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman J. Marcinkowski,

Petitioner,

313 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Smith,

Petitioner,

314 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roosevelt Adams,

Petitioner,

315 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Woods, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

326

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Davis, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

327

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Flood, Petitioner, vs. The People of the State of New York.

On petition for writ of certiorari to the County Court of Westchester County, State of New York.

329

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Coleman, Petitioner, vs. State of Illinois.

332

On petition for writ of certiorari to the Criminal Court of Cook County,

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Wilson, Petitioner, vs. State of Illinois.

333

On petition for writ of certiorari to the Criminal Court of Cook County,

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Piotrowski, Petitioner, vs. The People of the State of New York.

337

On petition for writ of certiorari to the Supreme Court of the State of New York, Erie County.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Truitt E. Sexton, Petitioner,

348 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas King, Petitioner,

349 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack William Shaffer, Petitioner,

350 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Alexander, Petitioner,

351 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois, et al.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cyrenean Noeth, Petitioner,

352 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cyrenean Noeth, Petitioner,

353 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cyrenean Nooth,
Petitioner,
354 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Dewey Hipp,
Petitioner,
357 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Curry,
Petitioner,
365 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Stoker,

Petitioner,

366 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Egan,

Petitioner,

370 vs.

State of California.

On petition for writ of certiorari to the District Court of Appeal of the State of California, 1st Appellate District.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Egan,

Petitioner,

436 vs.

The People of the State of California and Clinton T. Duffy, Warden, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Hesly, Petitioner,

379 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Hesly, Petitioner,

380 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Austin E. Hardwick, Petitioner,

381 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Circuit Court of Scott County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence Fog, Petitioner, On petition for writ of certiorari to the Criminal Court of Cook

382 vs. County, State of Illinois.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Johnson, Petitioner, On petition for writ of certiorari to the Criminal Court of Cook

383 vs. County, State of Illinois.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Lester Barnes, Petitioner, On petition for writ of certiorari to the Court of Appeals of the State

390 vs. of Maryland.

State of Maryland.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Eason,
Petitioner,
395 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Conway,
Petitioner,
396 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Wade,
Petitioner,
398 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Anderson,

Petitioner,

406 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Will Davis,

Petitioner,

407 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo Sanders,

Petitioner,

409 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise Andrews,
Petitioner,
412 vs.
A. C. Aderhold, Warden, Georgia State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Moore,
Petitioner,
413 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Mascio,
Petitioner,
414 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest Tait, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

416

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Coleman, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

434

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mitchell Janowicz, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

437

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lonnie Paynes,
Petitioner,
445 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Kruse,
Petitioner,
446 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United States, ex rel. Eugene J. Wroblewski,
Petitioner,
459 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Hayes Ross,

Petitioner,

460 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Circuit Court of Marion County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene Crowley,

Petitioner,

477 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United States of America, ex rel. Victor Von Scherer,

Petitioner,

478 vs.

Joseph E. Ragen, Warden of the Illinois State Penitentiary, Stateville-Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court, DeWitt County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry F. Hill, Petitioner,

479 vs.

Robert H. Hudspeth, Warden of the Kansas State Penitentiary, Lansing, Kansas.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Rios, Petitioner,

480 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Furman, Petitioner,

481 vs.

State of Illinois and Joseph E. Ragen, Warden, etc., et al.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerald P. Pleeger,
Petitioner,
vs.
The People of Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

495

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Lee,
Petitioner,
vs.
The Department of Public Welfare and State Parole Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

496

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Charles Hanson,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

499

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Lionel Shaffer,
Petitioner,
vs.
Joseph E. Ragen, Warden of the Illinois State Penitentiary (Stateville), Joliet, Illinois, et al.

500

On petition for writ of certiorari to the Circuit Court of Kane County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Judd,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

507

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Jones,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

508

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Ferris,

Petitioner,

509 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Haines,

Petitioner,

510 vs.

Walter Mierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Long,

Petitioner,

225 vs.

Gerald P. Bush, Acting Warden, etc.

ON CONSIDERATION of the motions to substitute the party respondent and to defer consideration of the petition for certiorari in this case,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Long,

Petitioner,

225 vs.

Gerald F. Bush, Acting Warden, State Branch Prison, Marquette, Michigan.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Resco,

Petitioner,

127, Misc. O.T. '45 vs.

Joseph E. Ragen, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Julius Fisher,

Petitioner,

122 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

F. O. Robertson,

Appellant,

274 O.T. '45 vs.

The People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Paul Knauer,

Petitioner,

510 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

W. Daniel Pinkerton and Walter G. Pinkerton,

Petitioners,

719 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Roy Alton Helwig,

Petitioner,

732 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Victor J. Evans,

Petitioner,

744 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

W. P. Sewell and R. B. Sewell,

Petitioners,

754 O.T. '45 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Aetna Insurance Company,

Appellant,

790 O.T. '45 vs.

Charles F. Hobbs, as Commissioner of Insurance of the State of Kansas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

American Indemnity Company,

Appellant,

791 O.T. '45 vs.

Charles F. Hobbs, as Commissioner of Insurance of the State of Kansas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Securities and Exchange Commission,

Petitioner,

843 O.T. '45 vs.

W. J. Howey Company and Howey-in-the Hills Service, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

John L. Wilson,

Petitioner,

987 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

S. P. Beecher,

Petitioner,

1055 O.T. '45 vs.

Federal Land Bank of Spokane, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Meyer Eastman, alias "Meyer Esstman and Dave Marglous,"

Petitioner,

1068 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

L. E. Carpenter and Margaret Carpenter,

Petitioners,

1071 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Robert Gould and Dowling Bros. Distilling Company,

Petitioners,

1102 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Lola Brooks, Administratrix of the Estate of F. S. Brooks, Deceased,

Petitioner,

1108 O.T. '45 vs.

St. Louis-San Francisco Railway Company, Debtor, et al.;

John E. Dikis, as Administrator of the Estate of Robert E. Lee, Deceased, et al.,

Petitioners,

1109 O.T. '45 vs.

St. Louis-San Francisco Railway Company, Debtor, et al.; and

St. Louis-San Francisco Railway Company,
Debtor,

Petitioner,

1110 O.T. '45 vs.

The Chase National Bank of the City of New York, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

David Rubin,

Petitioner,

1135 O.T. '45 vs.

The State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

J. Vincent Murphy,

Petitioner,

1162 O.T. '45 vs.

Mary Murphy, Also Known as Mary Nicklas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Guiseppe Bozzo Fu Lorenzo, as Owner, etc.,

Petitioner,

1172 O.T.'45 vs.

The United States of America, et al.;

A. T. Rosasco, as Owner, etc.,

Petitioner,

1173 O.T. '45 vs.

The United States of America, et al.;

Mariano Maresca and Company, as Owner, etc.,

Petitioner,

1174 O.T. '45 vs.

The United States of America, et al.; and

"Italia" - Societa Anonima Di Navigazione,
as Owner, etc.,

Petitioner,

1175 O.T. '45 vs.

The United States of America, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Societa Anonima Cooperative Di Navigazione
Garibaldi, as Bailee, etc.,

Petitioner,

1176 O.T. '45 vs.

The United States of America, et al.;

"Italia" - Societa Anonima Di Navigazione,
as Owner, etc.,

Petitioner,

1177 O.T. '45 vs.

The United States of America, et al.;

"Italia" - Societa Anonima Di Navigazione,
as Owner, etc.,

Petitioner,

1178 O.T. '45 vs.

The United States of America, et al.; and

"Italia" - Societa Anonima Di Navigazione,
as Owner, etc.,

Petitioner,

1179 O.T. '45 vs.

The United States of America, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Homer L. Loomis,

Petitioner,

1223 O.T. '45 vs.

The United States of America and Leo J.
Crowley, Alien Property Custodian of the
United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

The E. C. Schroeder Company, Incorporated,

Petitioner,

1180 O.T. '45 vs.

M. L. Clifton, for Himself and as Agent for E. M. Avery, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

The United States, ex rel. Constantinos Karpathiou,

Petitioner,

1201 O.T. '45 vs.

Andrew Jordon, District Director of Immigration and Naturalization, Chicago District.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Randolph Phillips, et al.,

Petitioners,

1220 O.T. '45 vs.

The Baltimore and Ohio Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

S. P. Beecher,

Petitioner,

1230 O.T. '45 vs.

Federal Land Bank of Spokane, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

The E. L. Essley Machinery Company,

Petitioner,

1233 O.T. '45 vs.

The Delta Manufacturing Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

The Kar Engineering Company, Inc.,

Petitioner,

1241 O.T. '45 vs.

Brown & Sharpe Manufacturing Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Joseph D. Medley,

Petitioner,

1242 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

West Publishing Company,

Appellant,

1255 O.T. '45 vs.

Chas. J. McColgan, Franchise Tax Commissioner of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

E. J. Roberts,

Petitioner,

1265 O.T. '45 vs.

G. P. Bowman, Superintendent, Virginia State Penitentiary Lime Plant, Staunton, Virginia.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

George Small,

Petitioner,

1266 O.T. '45 vs.

Blakely R. Webster, Superintendent,
Dannemora State Hospital, Dannemora,
New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Steve Anderson, Earl Trombley,
Lillian Scoia, et al.,

Petitioners,

342 O.T. '45 vs.

Mt. Clemens Pottery Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Steve Anderson, Earl Trombley,
Lillian Scoia, et al.,

Petitioners,

342 O.T. '45 vs.

Mt. Clemens Pottery Company.

ON CONSIDERATION of the motions of New England Shipbuilding Corporation and Employers' Association of Detroit and Michigan Manufacturers' Association for leave to file briefs in support of the petition for rehearing in this case,

IT IS ORDERED that the said motions be, and the same are hereby, granted.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the con-

Harry J. Alker, Jr., and Mamie DuBan,
Individually, etc.,

Petitioners,

880 O.T. '45 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion for leave to file a fourth petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this motion.

O. A. Shaver,

Petitioner,

893 O.T. '45 vs.

Fidelity Bankers Trust Company, Successor
Trustee, etc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case and of the second petition for rehearing,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted; and that the second petition for rehearing be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of these applications.

Universal Oil Products Company,

Petitioner,

48 O.T. '45 vs.

Root Refining Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Murphy, and Mr. Justice Jackson took no part in the consideration or decision of this application.

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The Cincinnati, Newport and Covington Railway Company, a Kentucky Corporation,

Petitioner,

511 vs.

Ben J. Brumleve, Director, Division of Motor Transportation of the Commonwealth of Kentucky.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

It appearing to the Court that counsel for the petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Almira G. Freeman, as Successor, Trustee Under the Will and of the Estate of Henry C. Starr, Deceased,

Appellant,

3 vs.

Gilbert K. Hewitt, Director of Gross Income Tax Division, Department of Treasury, State of Indiana.

Reargued by Mr. Harry T. Ice for the appellant and by Mr. John J. McShane for the appellee.

American Power & Light Company,

Petitioner,

4 vs.

Securities and Exchange Commission; and

Electric Power & Light Corporation,

Petitioner,

5 vs.

Securities and Exchange Commission.

One and three-quarters hours allowed each side for reargument. Reargument commenced by Mr. Arthur A. Ballantine for the petitioner in No. 4, and continued by Mr. Daniel James for the petitioner in No. 5, and by Mr. Roger S. Foster for the respondent.

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TUESDAY, OCTOBER 15, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thurman W. Arnold, It is ordered that Henry S. Hooker, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that Robert S. Rubin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dan Moody, It is ordered that E. S. Champlin, Esquire, of Enid, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Emmett Leo Sheehan, It is ordered that John W. Mac, Esquire, of Ann Arbor, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Lynch, It is ordered that H. Clarke Gaines, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth C. Royall, It is ordered that William H. Best, Jr., Esquire, of Goldsboro, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair L. Stout, It is ordered that Richard H. Plock, Esquire, of Burlington, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Addison T. Smith, It is ordered that Edward T. Johnson, Esquire, of Lewiston, State of Idaho, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen B. Arthur, It is ordered that Charles J. Ribar, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert James Ingraham, It is ordered that Burr Shearer Stottle, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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American Power & Light Company,

Petitioner,

4 vs.

Securities and Exchange Commission; and

Electric Power & Light Corporation,

Petitioner,

5 vs.

Securities and Exchange Commission.

Reargument continued by Mr. Roger S. Foster for the respondent, by Mr. Arthur A. Ballantine for the petitioner in No. 4, and concluded by Mr. Daniel James for the petitioner in No. 5.

Edna W. Ballard and Donald Ballard,

Petitioners,

37 vs.

The United States of America.

Argued by Mr. Roland Rich Woolley and Mr. Ralph C. Curren for the petitioners, and by Miss Beatrice Rosenberg for the respondent.

United Brotherhood of Carpenters and Joiners of America,

Petitioner,

6 vs.

The United States of America;

The Bay Counties District Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America, et al.,

Petitioners,

7 vs.

The United States of America;

Lumber Products Association, Inc., Acme Manufacturing Co., Inc., et al.,

Petitioners,

8 vs.

The United States of America;

Alameda County Building and Construction Trades Council,

Petitioner,

9 vs.

The United States of America; and

Boorman Lumber Company, Hogan Lumber Company, Loop Lumber & Mill Company, et al.,

Petitioners,

10 vs.

The United States of America.

Reargument commenced by Mr. Charles H. Tuttle for the petitioners, United Brotherhood of Carpenters, etc., in Nos. 6 and 7, and continued by Mr. Holmes Baldridge for the respondent.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. Carroll Reece, It is ordered that Robert Doscher, Esquire, of Suffern, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Burling, It is ordered that Louis F. Dahling, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Smith, Jr., It is ordered that William F. Sonnekalb, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. Lenihan, It is ordered that Edward Spencer Miller, Esquire, of Portland, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mac Q. Williamson, It is ordered that James W. Bounds, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that Orville S. Carpenter, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther A. Johnson, It is ordered that George W. Ledbetter, Esquire, of Ennis, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. Donihi, It is ordered that Howard F. Butler, Esquire, of Nashville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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United Brotherhood of Carpenters
and Joiners of America,

Petitioner,

6 vs.

The United States of America;

The Bay Counties District Council of
Carpenters of the United Brotherhood
of Carpenters and Joiners of America,
et al.,

Petitioners,

7 vs.

The United States of America;

Lumber Products Association, Inc.,
Acme Manufacturing Co., Inc., et al.,

Petitioners,

8 vs.

The United States of America;

Alameda County Building and Construction Trades Council,

Petitioner,

9 vs.

The United States of America; and

Boorman Lumber Company, Hogan Lumber Company, Loop Lumber & Mill Company, et al.,

Petitioners,

10 vs.

The United States of America.

Reargument continued by Mr. Holmes Baldridge for the respondent and concluded by Mr. Charles H. Tuttle for the petitioners in Nos. 6 and 7. Cases submitted by Mr. Joseph O. Carson II, Mr. Harry N. Routzohn, Mr. Hugh K. McKevith, and Mr. Jack M. Howard for petitioner, Bay County District Council of Carpenters in No. 7; by Mr. Maurice E. Harrison for petitioner in No. 8; by Mr. Guy C. Calden and Mr. Clarence E. Todd for petitioner in No. 9; and by Mr. Morgan J. Doyle for the petitioners in No. 10.

National Labor Relations Board,

Petitioner,

38 vs.

Donnelly Garment Company, Donnelly Garment Workers' Union, et al.; and

International Ladies' Garment Workers' Union,

Petitioner,

39 vs.

Donnelly Garment Company, Donnelly Garment Workers' Union, and National Labor Relations Board.

One and one-half hours allowed each side for argument. Argued by Miss Ruth Weyand for the National Labor Relations Board, by Mr. Clif Langsdale for the petitioner in No. 39, by Mr. Robert J. Ingraham for Donnelly Garment Company, and by Mr. Frank E. Tyler for Donnelly Garment

reply brief within one week.

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Proclamation being made the Court f

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that Robert Solomon Horne, Esquire, of Cochran, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver Wendell Holmes Hughes, It is ordered that Joseph Aloysius McMenamin, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hans A. Klagsbrunn, It is ordered that Emery T. Mumneley, Jr., Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles F. Miller, Jr., It is ordered that George Rex Frye, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. S. Isenbergh, It is ordered that Philip Elman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Heber Kimball Cleveland,

Petitioner,

vs.

The United States of America;

Heber Kimball Cleveland,

Petitioner,

vs.

The United States of America;

Heber Kimball Cleveland,

Petitioner,

vs.

The United States of America;

David Brigham Darger,

Petitioner,

vs.

The United States of America;

Vergel Y. Jessop,

Petitioner,

vs.

The United States of America;

Theral Ray Dockstader,

Petitioner,

vs.

The United States of America;

L. R. Stubbs,

Petitioner,

vs.

The United States of America; and

Follis Gardner Petty,

Petitioner,

19 vs.

The United States of America.

Reargued by Mr. Claude T. Barnes for the petitioners and by Mr. Robert M. Hitchcock for the respondent.

United Federal Workers of America (C. I. O.), et al.,

Appellants,

20 vs.

Harry B. Mitchell, Lucille Foster McMillin, and Arthur S. Fleming.

Reargued by Mr. Lee Pressman for the appellants and by Mr. Ralph P. Fuchs for the appellees.

State of Oklahoma,

Petitioner,

84 vs.

United States Civil Service Commission.

Argument commenced by Mr. Mac Q. Williamson for the petitioner.

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FRIDAY, OCTOBER 18, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ralph F. Fuchs, It is ordered that John T. Noonan, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charlton Ogburn, It is ordered that Donald M. Clausen, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Coates Bear, It is ordered that Maurice B. Kaplan, Esquire, of Lynn, Commonwealth of Massachusetts, and John Weston Miller, Esquire, of Springfield, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dwight D. Taylor, It is ordered that William Eugene Allen, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton V. Freeman, It is ordered that Hal E. Morris, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dan Moody, It is ordered that Edward D. Bolton, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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United Federal Workers of America (C.I.O.), et al.,

Appellants,

20 vs.

Harry B. Mitchell, Lucille Foster McMillin, and Arthur S. Fleming.

United Public Workers of America (C.I.O.) substituted as a party appellant herein in the place and stead of United Federal Workers of America (C.I.O.), and Frances Perkins substituted as a party appellee herein in the place and stead of Lucille Foster McMillin on motion of Mr. Milton V. Freeman for the appellants.

State of Oklahoma,

Petitioner,

84 vs.

United States Civil Service Commission.

Argument continued by Mr. Mac Q. Williamson for the petitioner, by Mr. Ralph F. Fuchs for the respondent, and concluded by Mr. James W. Bounds for the petitioner.

The United States of America,

Petitioner,

40 vs.

Iska W. Carmack.

Argued by Mr. John J. Cooney for the petitioner and by Mr. I. R. Kelso for the respondent.

Champlin Refining Company,

Appellant,

21 vs.

The United States of America and Interstate Commerce Commission.

Argument commenced by Mr. Harry O. Glasser for the appellant.

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Proclamation being made the Court

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles I. Dawson, It is ordered that Bernard H. Barnett, Esquire, of Louisville, Commonwealth of Kentucky, and Jay Raymond Levinson, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lindley G. Beckworth, It is ordered that John D. Reed, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julien Eugene Cook, It is ordered that Daniel Duke, Esquire, of Atlanta, State of Georgia; Victor Davidson, Esquire, of Irwinton, State of Georgia; and Cleburne Earl Gregory, Jr., Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Jaques, It is ordered that Rudolf B. Schlesinger, Esquire, of Larchmont, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that Deane Ramey, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph D. Pittman, It is ordered that Otis E. Nelson, Esquire, of Wichita Falls, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Welgester, It is ordered that Jerome G. McKean, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph H. Hudson, It is ordered that Emory L. Groff, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David O. Mathews, It is ordered that Ernest D. Geryo, Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving J. Levy, It is ordered that Benjamin C. Sigal, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice said:

"Mr. Justice Murphy is unavoidably absent on account of the death of his brother, Harold Murphy. The Court extends its deepest sympathy to Brother Murphy and the family in their hour of bereavement."

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The following orders were not announced orally but appear on the list certified by the Chief Justice and filed with the Clerk:

N. Tully Semel, et al.,

Petitioners,

vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for petitioners to stay the proceedings herein in the District Court of the United States for the Western District of Louisiana,

IT IS ORDERED by this Court that the said motion for a stay in this case be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Jackson Henry Goins,

Petitioner.

36, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Tom Stephenson,

Petitioner.

39, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Ford McCrackin,

Petitioner.

40, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John C. Burt,

Petitioner,

35, Misc. vs.

Honorable Edward A. Conger, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William G. Hayes,

Petitioner.

38, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter N. Smith,

Petitioner,

82, Misc. O.T.'45vs.

Honorable Joseph F. Maguire, Justice of the Domestic Relations Court of the City of New York, et al.

ON CONSIDERATION of the application submitted herein by Walter N. Smith,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harding,

Petitioner,

83, Misc.O.T.'45 vs.

Honorable F. H. LaGuardia, Mayor of the City of New York, et al.

ON CONSIDERATION of the application submitted herein by John Harding,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Stephens, Administrator,

Petitioner,

33, Misc. vs.

The United States of America.

ON CONSIDERATION of the application submitted herein by Albert Stephens,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oneal Massey,

Petitioner,

54, Misc. vs.

State of Texas.

ON CONSIDERATION of the application submitted herein by Oneal Massey,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Daisy D. Wilson,

Petitioner.

37, Misc.

ON CONSIDERATION of the application submitted herein by Daisy D. Wilson,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Joseph Poresky,

Petitioner.

43, Misc.

ON CONSIDERATION of the application submitted herein by Joseph Poresky,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Greenough and George Henry Warren, Jr., Trustees,

Appellants,

461 vs.

Tax Assessors of the City of Newport, et al.

The statement of jurisdiction in this case having been submitted

and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

464 vs.

Line Material Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Ayrshire Collieries Corporation, et al.,

Appellants,

467 vs.

The United States of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Daniel F. Rice, Joseph J. Rice, et al., Order allowing certiorari.

Petitioners,

470 vs.

Great Lakes Elevator Corporation, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Daniel F. Rice, Joseph J. Rice, et al., Petitioners, vs. Board of Trade of the City of Chicago, a Corporation. — Order allowing certiorari.

471

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Illinois Commerce Commission, et al., Petitioners, vs. Great Lakes Elevator Corporation, et al. — Order allowing certiorari.

472

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Illinois Commerce Commission, et al., Petitioners, vs. Board of Trade of the City of Chicago, a Corporation. — Order allowing certiorari.

473

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

312 vs.

Albert Silk, Doing Business as
Albert Silk Coal Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

C. J. Adams, Alias Charlie Adams, Order allowing certiorari.

Petitioner,

457 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Rene De Meerleer,

Petitioner,

140 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motions for leave to file a substituted petition and to dispense with the printing of the record on the application for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

Rene De Meerleer, Order allowing certiorari.

Petitioner,

140 vs.

The People of the State of Michigan.

The petition herein for a writ of certiorari to the Supreme Court of the State of Michigan is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

S. J. Groves & Sons Company, On petition for writ of certiorari

Petitioner, to The Court of Claims.

311 vs.

The United States.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians, On petition for writ of certiorari

Petitioner, to The Court of Claims.

368 vs.

The United States.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wootten Hotel Corporation,
Petitioner,
439 vs.
Northern Assurance Co., Ltd.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Order of Railroad Telegraphers, an Unincorporated Association, et al.,
Petitioners,
449 vs.
New Orleans, Texas & Mexico Railway Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

May Hosiery Mills,
Petitioner,
450 vs.
Hold Stitch Fabric Machine Company.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur L. Bell,

Petitioner,

451 vs.

The Superior Court, Los Angeles County, State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred J. Martin, Trustee,

Petitioner,

455 vs.

Eugene Campanaro, Edward Grimm, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred Hans Weiss,

Petitioner,

456 vs.

John W. Hood, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Todd Shipyards Corporation, Petitioner,
458 vs.
Harvey DeGraw.

On petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Errors and Appeals of the State of New Jersey, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Berryman Henwood, Trustee of the St. Louis Southwestern Railway Company, a Corporation, Petitioner,
462 vs.
O. R. Chaney.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

German-American Vocational League, Inc., D.A.B. Recreational Resort, Inc., et al., Petitioners,
468 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Equitable Life Assurance Society of the United States, a Corporation,

Petitioner,

469 vs.

Mercantile-Commerce Bank and Trust Company, a Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Burt Cain,

Petitioner,

474 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Martin,

Petitioner,

475 vs.

The State of Georgia.

On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Georgia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Waterman Steamship Corporation, Petitioner, vs. U. S. Smelting, Refining & Mining Co. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

482

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Panhandle Eastern Pipe Line Company, Petitioner, vs. Federal Power Commission, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

275

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Harris-Stanley Coal & Land Company, et al., Petitioners, vs. The Chesapeake & Ohio Railway Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

438

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

Wilson De La Roi,

Petitioner,

505 vs.

The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition should be granted.

Walter A. Lavender, Administrator De Bonis Non of the Estate of L. E. Haney, Deceased,

Petitioner,

427 vs.

J. M. Kurn, et al., Trustees of the St. Louis-San Francisco Railway Company, Debtor, and Illinois Central Railroad Company.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, it is ordered by this Court that the said petition be, and the same is hereby, denied for want of a final judgment.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Murphy are of the opinion that the petition should be granted.

Walter A. Lavender, Administrator, etc.,

Petitioner,

20, Misc. vs.

Honorable Albert M. Clark, Chief Justice of the Supreme Court of Missouri, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that leave to file should be granted and that a rule to show cause should issue.

Martin J. Bernards and Lena Bernards,

Petitioners,

2 O.T. '41 vs.

M. R. Johnson, Catherine Collins, et al.

ON CONSIDERATION of the motion to recall the mandate in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

In the Matter of O'Neal Massey,

Petitioner.

109, Misc. O.T. '45.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Jane Crozier, Roberta Giesecke and
Harriet M. Ackert,

Petitioners,

1221 O.T. '45 vs.

The Baltimore and Ohio Railroad Company.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Milton Roe Sabin and Bertha Florence
Sabin,

Petitioners,

269 O.T. '45 vs.

Home Owners' Loan Corporation, et al.; and

Bertha Florence Sabin and M. R. Sabin,

Petitioners,

952 O.T. '45 vs.

Home Owners' Loan Corporation, et al.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Jack Davis,

Petitioner,

404 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Edward F. Zap,

Petitioner,

489 O.T. '45 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Cecil I. Hust,

Petitioner,

625 O.T. '45 vs.

Moore-McCormack Lines, Inc.

O R D E R

It is ordered that the opinion of this Court in this case, filed June 10, 1946, be amended by deleting the first two sentences of the second paragraph on page 16 of the slip copy print and substituting in lieu therefor the following language:

"Uncertain in scope as the effects of the Brady decision were regarded to be, they were clearly recognized as holding that the seaman had rights against private operators arising after the transfer of governmental control.37/"

Per Mr. Justice Black.

Cecil I. Hust,

Petitioner,

625 O.T. '45 vs.

Moore-McCormack Lines, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

The United States of America, ex rel.
Angelo Russo,

Petitioner,

132 vs.

Walter Nierstheimer, Warden, Illinois
State Penitentiary, Menard Branch.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, October 28th, until Tuesday, November 12th, next.

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Champlin Refining Company,

Appellant,

21 vs.

The United States of America and
Interstate Commerce Commission.

Reargument continued by Mr. Edward Dumbauld for the appellees and concluded by Mr. Dan Moody for the appellant.

Max Levinson,

Petitioner,

22 vs.

Spector Motor Service, a Corporation.

Reargument commenced by Mr. Harry L. Yale for the petitioner, continued by Mr. Jeeter S. Ray for the Administrator of the Wage and Hour Division, U. S. Department of Labor, amicus curiae by special leave of Court, by Mr. Roland Rice for the respondent, and by Mr. Daniel W. Knowlton for the Interstate Commerce Commission, amicus curiae by special leave of Court.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Norman S. Sterry, It is ordered that Robert E. Paradise, Esquire, of Los Angeles, State of California, and Victor M. Hendrick, Esquire, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Purling, It is ordered that George C. Perkins, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solomon Dimond, It is ordered that Max J. Gwertzman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl Frederick Bauersfeld, It is ordered that Floyd Duke James, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that Herman Robert Friedberg, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Arthur Lanigan, It is ordered that Charles W. Bahme, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Max Levinson,

Petitioner,

22 vs.

Spector Motor Service, a Corporation.

Reargument continued by Mr. Daniel W. Knowlton for the Interstate Commerce Commission, amicus curiae by special leave of Court, and concluded by Mr. Harry L. Yale for the petitioner.

Pyramid Motor Freight Corporation,

Petitioner,

41 vs.

Murray Ispass, Max Granofsky, Harry Brownstein, et al.

Argued by Mr. Charles E. Cotterill for the petitioner and by Mr. Deane Ramey for the respondent.

Vanston Bondholders Protective Committee,

Petitioner,

42 vs.

Louis A. Green, et al.;

Vanston Bondholders Protective Committee,

Petitioner,

43 vs.

Carl B. Early, et al.;

Vanhorn Bondholders Protective Committee,

Petitioner,

44 vs.

Louis A. Green, et al.; and

Vanhorn Bondholders Protective Committee,

Petitioner,

45 vs.

Carl B. Early, et al.

Argument commenced by Mr. George W. Jaques for the petitioner in Nos. 42 and 43; continued by Mr. Robert J. Bulkley for the petitioner in Nos. 44 and 45; by Mr. Roger S. Foster for the Securities and Exchange Commission, amicus curiae by special leave of Court; by Mr. Charles I. Dawson for the respondents, Carl B. Early, et al.; by Mr. Jay Raymond Levinson for the respondents, Green Committee, et al.; and concluded by Mr. Robert J. Bulkley for the petitioner in Nos. 44 and 45.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Schafer, It is ordered that James Manderson Castle, Jr., Esquire, of Washington, District of Columbia, and Lewis Hobson Wilson, Esquire, of Tuscaloosa, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Buchanan, It is ordered that John G. Buchanan, Jr., Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Cecelia Helen Goetz, It is ordered that Alexander Halpern, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Fae Schaller, It is ordered that Leon B. Paullada, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David London, It is ordered that Stanley B. Frosh, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Amy Ruth Mahin, It is ordered that Leon John Albert Kupeck, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter S. Twitty, It is ordered that Charles Hunsicker, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abe Fortas, It is ordered that Norman A. Stolz, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Taze Hamrick Gibson,

Petitioner,

23 vs.

The United States of America; and

George William Dodez,

Petitioner,

86 vs.

The United States of America.

No. 23 reargued and No. 86 argued by Mr. Hayden C. Covington for the petitioners and by Mr. Irving S. Shapiro for the respondent.

Halliburton Oil Well Cementing Company,

Petitioner,

24 vs.

Cranford P. Walker, et al., Doing Business as Depthograph Company, a Corporation.

Reargument commenced by Mr. Earl Babcock for the petitioner and

continued by Mr. Harold W. Mattingly for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 24, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Emmalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hatton W. Sumners, It is ordered that Dick L. Connally, Esquire, of Brownwood, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Gladys Towles Root, It is ordered that Rosalind Goodrich Bates, of Los Angeles, State of California, and Mildred Gilmore, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs., Miss)

On motion first made to the Court in this behalf by Mr. William H. King, It is ordered that Reva Beck Bosone, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Leigh L. Nettleton, It is ordered that Edward J. Flavin, Esquire, of Boston, Commonwealth of Massachusetts; Borden C. Jones, Esquire, of Chattanooga, State of Tennessee; and David J. Cohen, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell Berge, It is ordered that Samuel Karp, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Mason Welch, It is ordered that Genevieve T. McLaughlin, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Thomas L. Preston, It is ordered that J. Carter Fort, Jr., Esquire, of Washington, District of Columbia, and Gerald D. Finney, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Laura Maria Berrien, It is ordered that Alice M. Birdsall, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Clarence M. Fisher, It is ordered that Joel G. Stanford, Esquire, of Westfield, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene E. Stevens, Jr., It is ordered that John B. Hosty, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Wilson, It is ordered that George Francis Meyer, Jr., Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Rudolph Peterson, It is ordered that Richard S. Oldberg, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Wilson De La Roi,

Petitioner,

505 vs.

The People of the State of California.

ON CONSIDERATION of the motion for a stay of execution of the death sentence in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Wilson De La Roi,

Petitioner,

505 vs.

The People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

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Halliburton Oil Well Cementing Company,

Petitioner,

24 vs.

Cranford P. Walker, et al., Doing Business as Depthograph Company, a Corporation.

Reargument continued by Mr. Harold W. Mattingly for the respondents and concluded by Mr. Earl Babcock for the petitioner.

Richfield Oil Corporation,

Appellant,

46 vs.

State Board of Equalization.

Argued by Mr. Norman S. Sterry for the appellant and by Mr. John L. Nourse for the appellee.

Alma Motor Company,

Petitioner,

11 vs.

The Timken-Detroit Axle Company and
The United States of America.

Reargument commenced by Mr. Thomas J. Hughes for the petitioner and continued by Mr. Assistant Attorney General Sonnett for the respondent, The United States.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Vernon C. Rawls, It is ordered that Connie V. Southern, Esquire, of Washington, District of Columbia; Francis M. Sasse, Esquire, of Phoenix, State of Arizona; Milton T. Quinton, Jr., Esquire, of Lexington, Commonwealth of Kentucky; Arthur Mills Scheid, Esquire, of Washington, District of Columbia; and Franklin W. Clarke, Esquire, of Madison, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Maurice Morris, It is ordered that Irene L. Dulin, of Saint Louis, State of Missouri, and Walter Early Craig, Esquire, of Phoenix, State of Arizona, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Percy Atwood Shay, It is ordered that Gerald J. Dunworth, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that Howard Cockrill, Esquire, of Little Rock, State of Arkansas, and Edward L. Wright, Esquire, of Little Rock, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Walter B. Keaton, Esquire, of Rushville, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Geiger, It is ordered that John C. Stickney, Esquire, of Sausalito, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Souby, It is ordered that Robert M. Fisher, Esquire, of Indiana, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Shelby Fitze, It is ordered that Virginia M. Wallgren, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Stanley I. Posner, It is ordered that Sidney Freidberg, Esquire, of New York, State of New York, and Hylan Cooper, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Wiener, It is ordered that William Huck, Jr., Esquire, of Bloomfield, State of New Jersey, and Thomas J. Markey, Esquire, of Bloomfield, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Alma Motor Company,

Petitioner,

11 vs.

The Timken-Detroit Axle Company and
The United States of America.

Reargument continued by Mr. Assistant Attorney General Sonnett for the respondent, The United States, by Mr. William A. Strauch for the respondent, Timken-Detroit Axle Company, and concluded by Mr. John G. Buchanan for the petitioner.

The United States,

Petitioner,

26 vs.

Alcea Band of Tillamooks, et al.

Reargued by Mr. Walter J. Cummings, Jr., for the petitioner and by Mr. Everett Sanders for the respondents.

The United States,

Petitioner,

50 vs.

The Howard P. Foley Company, Inc.

Argued by Mr. A. Devitt Vanech for the petitioner and by Mr. Alexander Heron for the respondent.

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Proclamation being made the Court is adjourned until Monday, October 28, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Harry L. Shniderman, It is ordered that Russell E. Hatter, Esquire, of Marengo, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sutherland Elmore, It is ordered that Robert J. Davis, Esquire, of Fort Lauderdale, State of Florida; Jule Brown Patterson, Esquire, of Fort Lauderdale, State of Florida; and Thomas M. Lockhart, Esquire, of Fort Lauderdale, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward R. Burke, It is ordered that John C. Bane, Jr., Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. O'Brien, It is ordered that Joseph Anthony Fitzsimmons, Esquire, of Fort Lauderdale, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Douglas W. McGregor, It is ordered that Cecil N. Cook, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court,

On motion first made to the Court in this behalf by Mr. Donald V. Hunter, It is ordered that Walter L. Nossaman, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Donelan, It is ordered that Frank E. O'Reilly, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Munson H. Lane, It is ordered that Albert E. Knauf, Esquire, of Waukegan, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that William Harrison Storey, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred K. Cherry, It is ordered that Paul C. Hodge, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Geyer Lansig, It is ordered that Edward B. Hanley, Jr., Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Selig C. Brez, It is ordered that Colman Brez Stein, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey F. Tramutolo, It is ordered that Walter H. Duane, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Selmer Roy Johnson, It is ordered that Carleton U. Edwards, II, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Earl P. Cook, Appellant, vs. Ben W. Fortson, Jr., as Secretary of State of Georgia, et al.

Appeal from the District Court of the United States for the Northern District of Georgia.

531

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal herein be, and the same is hereby, dismissed without costs to either party in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the bill.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Murphy are of the opinion that probable jurisdiction should be noted.

Mr. Justice Rutledge is of the opinion that the question of jurisdiction should be postponed to the hearing of the case on the merits and has set forth his views in an opinion which he has filed.

Mrs. Robert Lee Turman and Cullen B. Gosnell,

Appellants,

532 vs.

J. Lon Duckworth, as Chairman of the Georgia State Democratic Executive Committee, et al.

Appeal from the District Court of the United States for the Northern District of Georgia.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal herein be, and the same is hereby, dismissed without costs to either party in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the bill.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Murphy are of the opinion that probable jurisdiction should be noted.

Mr. Justice Rutledge is of the opinion that the question of jurisdiction should be postponed to the hearing of the case on the merits and has set forth his views in an opinion which he has filed.

Richard O. Read,

Petitioner,

45, Misc. vs.

Carle C. Zimmerman.

ON CONSIDERATION of the application submitted herein by Richard O. Read,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Ex parte William M. Lee,

Petitioner.

46, Misc.

ON CONSIDERATION of the application submitted herein by William M. Lee,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William James Evans, Jr.,

Petitioner.

47, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

State of New York, State of Delaware, et al.,

Appellants,

343 vs.

The United States of America, Interstate Commerce Commission, et al.;

Horace A. Hildreth, Governor of the State of Maine, Charles M. Dale, Governor of the State of New Hampshire, et al.,

Appellants,

344 vs.

The United States of America, et al.; and

The Atchison, Topeka and Santa Fe Railway Company, et al.,

Appellants,

345 vs.

The United States of America, et al.

These cases are reassigned for argument on Monday, January 6, next.

Per Mr. Chief Justice Vinson.

Jack Parker, Isidor M. Saks, Melvin Kaplan, et al.,

Petitioners,

60 vs.

Paul A. Porter, Price Administrator.

ON CONSIDERATION of the motion of Louis L. Tetleman, counsel for the Landlords, for leave to participate in the oral argument in this case as amicus curiae,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Aetna Casualty & Surety Company and J. A. Jones Construction Co.,

Petitioners,

432 vs.

Mrs. Fannie M. Flowers.

ON CONSIDERATION of the motion of the respondent for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

176 vs.

Judges, Superior Court, Atlanta Circuit.

ON CONSIDERATION of the application for an extension of time within which to file a petition for rehearing,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Birmeli Dingman,

Petitioner,

342 vs.

The United States of America.

ON CONSIDERATION of the motion for an extension of time of 30 days within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The Rescue Army, a Corporation, et al.,

Appellants,

574 vs.

The Municipal Court of the City of Los Angeles.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is assigned for argument immediately following No. 103, The Gospel Army vs. City of Los Angeles, et al.

Per Mr. Chief Justice Vinson.

The United States,

Appellant,

585 vs.

Lem Hoy, alias Lim Hoy.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

United States Department of Agriculture, Emergency Crop and Feed Loans, — Order allowing certiorari.

Petitioner,

417 vs.

George G. Remund, as Administrator of the Estate of Wilhelm Buttke, Deceased.

The petition herein for a writ of certiorari to the Supreme Court of the State of South Dakota is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Alfred Testa and Paul A. Porter, Administrator, Office of Price Administration, — Order allowing certiorari.

Petitioners,

431 vs.

Harry Katt.

The petition herein for a writ of certiorari to the Superior Court for Providence and Bristol Counties, State of Rhode Island, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

498 vs.

Honorable William F. Smith, a District Judge Especially Designated and Assigned to Hold the District Court of the United States for the Middle District of Pennsylvania, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Power Commission, et al., Petitioners,

543 vs.

Arkansas Power & Light Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Tomlinson I. Moseley, Ralph M. Keele and Keelmo Co., Petitioners,

164 vs.

United States Appliance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Baltimore and Ohio Railroad Company, a Corporation, et al.,

Petitioners,

463 vs.

Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Guy A. Thompson, Trustee of Missouri Pacific Railroad Company, Debtor, et al.,

Petitioners,

552 vs.

The Baltimore and Ohio Railroad Company, a Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Millard C. Baker, Isadore Walter Kahn, Benjamin L. Levy, et al.,

Petitioners,

484 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nathan Silverman, Petitioner, vs. The United States of America.

485 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rubein V. Johnson, Petitioner, vs. The United States of America.

486 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph A. Gordon, Petitioner, vs. Paul A. Porter, Administrator, Office of Price Administration.

489 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Lecithin Company, Inc., Petitioner,

490 vs.

Paul V. McNutt, as Federal Security Administrator of the United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Boston & Maine Railroad, Petitioner,

491 vs.

Elizabeth B. Meech, Administratrix.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Denver and Rio Grande Western Railroad Company, a Corporation, et al., Petitioners,

493 VS.

Provo City, a Municipal Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Denver and Rio Grande Western Railroad Company, a Corporation, et al.,

Petitioners,

494 vs.

Provo City, a Municipal Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

149 Madison Avenue Corporation and Williams & Co., Inc.,

Petitioners,

497 vs.

Frank Asselta, Camilo Del Rio, Joseph McArdle, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Okonite Company,

Petitioner,

501 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wheeling Stamping Company and Burrason Corporation,

Petitioners,

515 vs.

Standard Cap and Molding Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Rosselli,

Petitioner,

516 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Silverman,

Petitioner,

522 vs.

Osborne Register Co.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sina Frazier, Now Postoak, Willie Watson, Richard Watson, et al.,

Petitioners,

492 vs.

C. B. Goddard, E. L. Franklin, A. J. Erlewine, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Estate of Harold I. Pratt, Deceased, United States Trust Company, et al., Executors,

Petitioners,

523 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

The Cleveland Hotel Protective Committee, et al.,

Petitioners,

448 vs.

National City Bank of Cleveland, Successor Trustee and the Cleveland Terminals Building Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard W. Deaver,
Petitioner,
356 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Albert Tinnin,
Petitioner,
503 vs.
Clinton T. Duffy, Warden of the State Prison at San Quentin, California, etc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Benjamin Nightingale,
Petitioner,
513 vs.
F. S. Baldi, Superintendent, Philadelphia County Prison, Holmesburg, Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Kemmerer,
Petitioner,
554 vs.
The State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

James Bolden,
Petitioner,
518 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

George Zimer,
Petitioner,
520 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Peoria County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edmond Arthur Rohde,

Petitioner,

521 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Robert D. Scott,

Petitioner,

529 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Kenneth Ingersoll,

Petitioner,

530 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Effingham County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hubbert Waggoner,
Petitioner,
533 vs.
Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Charles Wilson,
Petitioner,
545 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

John Gawron,
Petitioner,
546 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lew Palmer, Jr.,
Petitioner,
547 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Mike Parker,
Petitioner,
549 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Henry Robinson,
Petitioner,
550 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Richard Garner, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

568 On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Robert Coleman, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

569 On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Charles Cassidy, Petitioner, vs. People of the State of Illinois.

577 On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of

Elvis T. Watson,
Petitioner,
578 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Roy Judd,
Petitioner,
579 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

William Booker,
Petitioner,
580 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Supreme Court, Circuit Court of Will County, and Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of

Francis Haines,
Petitioner,
vs.
Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

581

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Beckham Thompson,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

598

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Daniel Matthews,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

599

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision

Walter Fowler,
Petitioner,
600 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Clifton Mills,
Petitioner,
601 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Earl Davis,
Petitioner,
602 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of

Robert Harris,

Petitioner,

614 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

James Holmes,

Petitioner,

616 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Mose Johnson,

Petitioner,

636 vs.

The State of Oklahoma.

ON CONSIDERATION of the motion for a stay of execution of the death sentence in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this motion.

Mose Johnson,

Petitioner,

636 vs.

The State of Oklahoma.

On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Reconstruction Finance Corporation, et al.,

Petitioners,

278 O.T. '45 vs.

The Denver and Rio Grande Western Railroad Company, et al.;

Reconstruction Finance Corporation, et al.,

Petitioners,

279 O.T. '45 vs.

The Denver and Salt Lake Western Railroad Company, et al.;

Reconstruction Finance Corporation, et al.,

Petitioners,

280 O.T. '45 vs.

City Bank Farmers Trust Company, Trustee, et al.;

Reconstruction Finance Corporation, et al.,

Petitioners,

281 O.T. '45 vs.

The Denver and Rio Grande Western Railroad Company, et al.; and

Reconstruction Finance Corporation, et al.,

Petitioners,

282 O.T. '45 vs.

Guy A. Thompson, Trustee, et al.

Petitions for rehearing having been filed in these cases by counsel for respondents,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petitions for rehearing be, and the same are hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of these applications.

Henry L. Saunders,

Petitioner,

916 O.T. '45 vs.

Ralph E. Wilkins.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Kenneth W. Colegrove, Peter J. Chamales, and Kenneth C. Sears,

Appellants,

804 O.T. '45 vs.

Dwight H. Green, as a Member, Ex-Officio of the Primary Certifying Board of the State of Illinois, et al.

ON CONSIDERATION of the motion of the Civil Liberties Union for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this motion.

Kenneth W. Colegrove, Peter J. Chamales, and Kenneth C. Sears,

Appellants,

804 O.T. '45 vs.

Dwight H. Green, as a Member, Ex-Officio of the Primary Certifying Board of the State of Illinois, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this motion.

John Stub,

Petitioner,

308 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

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Reconstruction Finance Corporation, et al.,

Petitioners,

278 O.T. '45 vs.

The Denver and Rio Grande Western Railroad Company, et al.;

Reconstruction Finance Corporation, et al.,

Petitioners,

279 O.T. '45 vs.

The Denver and Salt Lake Western Railroad Company, et al.;

Reconstruction Finance Corporation, et al.,

Petitioners,

280 O.T. '45 vs.

City Bank Farmers Trust Company, Trustee, et al.;

Reconstruction Finance Corporation, et al.,

Petitioners,

281 O.T. '45 vs.

The Denver and Rio Grande Western Railroad Company, et al.; and

Reconstruction Finance Corporation, et al.,

Petitioners,

282 O.T. '45 vs.

Guy A. Thompson, Trustee, et al.

The Chief Justice announced that Mr. Justice Frankfurter has filed an opinion setting forth the detailed grounds for his dissent from the opinion and judgment of the Court entered June 10, 1946, in these cases.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians, Petitioner, On petition for writ of certiorari to the Court of Claims.

369 vs.

The United States.

It appearing to the Court that counsel for the petitioner has filed a motion to dismiss the petition for writ of certiorari in this case in event of denial of the petition for writ of certiorari in the case of Sioux Tribe of Indians vs. United States, No. 368,

The petition for certiorari in case No. 368 having been denied on October 21, 1946, it is pursuant to said motion, ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that George David Thomson, Esquire, of Flint, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ben S. Fisher, It is ordered that Clarence J. Young, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earle W. Crammond, It is ordered that Raymond L. Greist, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan April, It is ordered that Meyer Kreeger, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rosel H. Hyde, It is ordered that Leonard H. Marks, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles R. Fenwick, It is ordered that Frederick J. Lotterhos, Esquire, of Jackson, State of Mississippi, and Boynton P. Livingston, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Donald Malcolm Macauley, Esquire, of Springfield, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following order of the Court:

James Marr, Doing Business as Marr Duplicator Company,

Petitioner,

vs.

A. B. Dick Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

504

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, vacated, each party to pay his or its own costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for consideration of the question, raised by the Solicitor General of the United States in his memorandum as amicus curiae, "whether respondent's prosecution of the instant case may not constitute a fraud upon the courts."

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte George James,

Petitioner.

42, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Vol Nelson,

Petitioner.

48, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Dorsey McMahan,

Petitioner.

56, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Charles Kato,

Petitioner,

49, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Alva Christian,

Petitioner.

52, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Henry Allen,

Petitioner.

53, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Randolph S. Rediker,

Petitioner.

54, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Louis Gross,

Petitioner.

55, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Enoch R. Whitefield,

Petitioner.

51, Misc.

ON CONSIDERATION of the application submitted herein by Enoch R. Whitefield,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Edmond C. Fletcher,

Petitioner.

57, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Rutledge took no part in the consideration or decision of this application.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

335 vs.

The Nashville, Chattanooga & St. Louis Railway; and

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

336 vs.

Portland Terminal Company.

ON CONSIDERATION of the motion of counsel for Jacksonville Terminal Company for leave to present oral argument as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel F. Rice, Joseph J. Rice, et al.,

Petitioners,

470 vs.

Great Lakes Elevator Corporation, et al.; and

Illinois Commerce Commission, et al.,

Petitioners,

472 vs.

Great Lakes Elevator Corporation, et al.

ON CONSIDERATION of the motion of counsel for the National Association of Railroad and Utilities Commissioners for leave to present oral argument as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ford Motor Company,

Appellant,

643 vs.

The United States of America.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this case.

Commercial Investment Trust Corporation, et al.,

Appellants,

644 vs.

The United States of America.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this question.

The United States, Order allowing certiorari.

Petitioner,

442 vs.

Ivan M. Elchibegoff.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Rutherford Food Corporation and the George Kaiser Packing Company, Order allowing certiorari.

Petitioners,

562 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

564 vs.

The General Industries Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Peter Caldarola,

Petitioner,

625 vs.

Gerda Eckert and Thor Eckert, Jr., Partners Doing Business Under the Firm Name of Thor Eckert & Co.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Thomas A. Murray,

Petitioner,

483 vs.

Paul A. Porter, Administrator, Office of Price Administration.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit is granted, limited to the question whether the Emergency Price Control Act authorizes the Administrator to delegate to district directors authority to sign and issue subpoenas.

The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

James G. Raley and Thomas E. Raley, Trading as Raley's Food Store,

Petitioners,

512 vs.

Paul A. Porter, Administrator of the Office of Price Administration.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, limited to the question whether the Emergency Price Control Act authorizes the Administrator to delegate to district directors authority to sign and issue subpoenas. The case is transferred to the summary docket and assigned for argument immediately following No. 483.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Paul A. Porter, Administrator, Office of Price Administration,

Petitioner,

583 vs.

Mohawk Wrecking and Lumber Company, a Partnership, and Harry Smith.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, limited to the question whether the Emergency Price Control Act authorizes the Administrator to delegate to district directors authority to sign and issue subpoenas. The case is transferred to the summary docket and assigned for argument immediately following Nos. 483 and 512.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Labor Relations Board,

Petitioner,

544 vs.

Keystone Steel & Wire Company and Independent Steel Workers Alliance.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mechanical Farm Equipment Distributors, Inc.,

Petitioner,

519 vs.

Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lorraine Coffee Company, Inc., and Eric Eben,

Petitioners,

527 vs.

La Touraine Coffee Co., Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Login Corporation,
Petitioner,
528 vs.
Paul A. Porter, Administrator of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles A. Koza, John A. Anderson and Invincible Tool Co., Inc.,
Petitioners,
536 vs.
Charles Drexler and Charles Drexler Co., Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eastern Sugar Associates,
Petitioner,
537 vs.
The People of Puerto Rico.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mario Joseph Pacman,

Petitioner,

539 vs.

Charles B. Mead, Superintendent of the Federal Prison Camp, Coronado National Forest, Pima County, Arizona.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marjorie Hair Burton, Individually and as Administratrix of the Estate of Frederic A. Burton, Deceased,

Petitioner,

542 vs.

J. Roy Browning, Trustee and Freeman Coal Mining Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elsie C. Emery,

Petitioner,

555 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cities Service Gas Company, Petitioner,
556 vs.
Federal Power Commission, Public Service Commission of the State of Missouri, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The City of Huntington Beach, Petitioner,
559 vs.
E. C. Denio, G. A. Hart, G. P. Taubman, Jr., et al., etc.

On petition for writ of certiorari to the District Court of Appeal of the State of California, 4th Appellate District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal of the State of California, 4th Appellate District, IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dixi-Cola Laboratories, Inc., et al., Petitioners,
560 vs.
The Coca-Cola Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Coca-Cola Company,
Petitioner,
561 vs.
Dixi-Cola Laboratories, Inc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Yielding M. Barlow,
Petitioner,
563 vs.
Federal Land Bank of Berkeley.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fairfield Steamship Corporation,
Petitioner,
565 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jo Van Der Loo,
Petitioner,
567 vs.
Paul A. Porter, Price Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Hancock Mutual Life Insurance Company,
Petitioner,
570 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Waterman Steamship Corporation, et al.,
Petitioners,
584 vs.
Pan-American Trade & Credit Corporation and Saman Hnos.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alden Lassell Ripley,

Petitioner,

592 vs.

Findlay Galleries, Inc. and Goes Lithographing Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

St. Louis-San Francisco Railway Company, Debtor,

Petitioner,

638 vs.

James H. Brewster, Jr., et al., as Fort Scott Bondholders' Committee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lola Brooks, Administratrix, etc., and John E. Dikis, Administrator, etc.,

Petitioners,

639 vs.

James H. Brewster, Jr., et al., as Fort Scott Bondholders Committee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Okin, Petitioner,
391 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Samuel Okin, Petitioner,
392 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Samuel Okin, Petitioner,
393 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Dabney Smith,
Petitioner,
534 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion the petition should be granted.

G. C. Rowe, Andy Reynolds, Grace Reynolds, et al.,
Petitioners,
541 vs.
Chesapeake Mineral Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

Thomas J. McClane,
Petitioner,
488 vs.
The People of the State of California and Clinton T. Duffy, Warden, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip Einsohn,
Petitioner,
551 vs.
People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Cartner,
Petitioner,
553 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Onondaga County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David T. Tracher,
Petitioner,
576 vs.
Walter B. Martin, Warden of Attica State Prison, Attica, New York.

On petition for writ of certiorari to the County Court of Erie County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Lewis,

Petitioner,

604 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Hines,

Petitioner,

618 vs.

Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Tomanek,

Petitioner,

620 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Miner,

Petitioner,

621 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed Williams,

Petitioner,

622 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hubert J. Gapinski,

Petitioner,

623 vs.

Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Morris,
Petitioner,
627 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Vincent,
Petitioner,
629 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Quinn,
Petitioner,
630 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Woodward,
Petitioner,
631 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ronald Ritton,
Petitioner,
634 vs.
Pennsylvania Board of Parole.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Sheets,
Petitioner,
647 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Deese,

Petitioner,

648 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Kaval,

Petitioner,

649 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Harris,

Petitioner,

650 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vernon Mender, Petitioner,

652 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Ross, Petitioner,

654 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Bishop Donnell, Petitioner,

659 vs.

Ben B. Stewart, Acting Warden, Missouri State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James McDonald,

Petitioner,

661 vs.

The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Stephens, Administrator,

Petitioner,

33, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Silas Mason Company, Inc., et al.,

Petitioners,

100 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. T. Waller,

Petitioner,

112 vs.

Northern Pacific Terminal Company of Oregon.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John H. Chatz, Trustee in Bankruptcy of Hoaglund & Allum Co., Inc.,

Petitioner,

133 vs.

Midco Oil Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Antonelli Fireworks Co., Inc., et al.,

Petitioners,

134 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. E. Haddock, Limited, and United Pacific Insurance Co.,

Petitioners,

158 vs.

Warren H. Pillsbury, Deputy Commissioner, and Hugh A. Voris, Assistant Deputy Commissioner, of the United States Employees' Compensation, etc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tomlinson I. Moseley, Ralph M. Keele, and Keelmo Co.,

Petitioners,

164 vs.

United States Appliance Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anchor Serum Company, a Corporation of Missouri,

Petitioner,

185 vs.

American Cooperative Serum Association, a Corporation of Iowa.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Illinois Farm Bureau Serum Association,
a Corporation of Illinois,

Petitioner,

186 vs.

American Cooperative Serum Association,
a Corporation of Iowa.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Realty Operators, Inc.,

Petitioner,

187 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henderson (Partnership),

Petitioner,

188 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurence M. Williams, as Liquidator of Sterling Sugars, Inc., etc., et al.,

Petitioners,

199 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mishawaka Rubber and Woolen Manufacturing Company,

Petitioner,

217 vs.

Panther-Panco Rubber Co., Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin Charles Beauchamp,

Petitioner,

230 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Bank of California National Association, Executor, etc.,

Petitioner,

267 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Transportation Company, A. B. & C. Transportation Co., et al.,

Appellants,

276 vs.

The United States of America and Interstate Commerce Commission.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Union Metal Manufacturing Company, et al.,

Petitioners,

292 vs.

Casper W. Ooms, Commissioner of Patents.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian B. Everett,

Petitioner,

300 vs.

Wallis W. Downing.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise McGrew Moffett and Louise McGrew Moffett, as Executrix, etc.,

Appellants,

318 vs.

Commerce Trust Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John H. Chatz, Trustee in Bankruptcy of Howard Haberman, etc., et al.,

Petitioners,

321 vs.

Armour Plant Employees Credit Union; and

John H. Chatz, Trustee in Bankruptcy of Howard Haberman, etc., et al.,

Petitioners,

322 vs.

Andrew A. Todd, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe W. Buice,

Petitioner,

323 vs.

Colonel Howard S. Patterson, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Kut,

Appellant,

338 vs.

Bureau of Unemployment Compensation of the State of Ohio, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Suncook Valley Railroad,

Petitioner,

358 vs.

Boston and Maine Railroad.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Grant, Jr., Doing Business as No Sleet Windshield Heater Company,

Petitioner,

378 vs.

General Motors Corporation, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise Andrews,

Petitioner,

412 vs.

A. C. Aderhold, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry F. Hill,

Petitioner,

479 vs.

Robert H. Hudspeth, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard O. Read,

Petitioner,

45, Misc. vs.

Carle C. Zimmerman.

ON CONSIDERATION of the motion of petitioner that the Court give its reasons for denial of the application herein, etc.,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

176 vs.

Judges of the Superior Court, Atlanta Circuit.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The application for the allowance of an appeal is also denied.

Per Mr. Chief Justice Vinson.

Robert B. Blalack,

Petitioner,

232 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

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States Marine Corporation,

Petitioner,

582 vs.

Joseph Militano.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Lazarus Joseph, Comptroller of the City of New York, et al.,

Petitioners,

29 vs.

Carter & Weekes Stevedoring Company; and

Lazarus Joseph, Comptroller of the City of New York, et al.,

Petitioners,

30 vs.

John T. Clark & Son.

Reargued by Mr. Isaac C. Donner for the petitioners and by Mr. Samuel M. Lane for the respondents.

The Order of United Commercial Travelers of America,

Petitioner,

32 vs.

Edward C. Wolfe.

Reargued by Mr. E. W. Dillon for the petitioner and by Mr. Hubbard P. Fellows for the respondent.

The United States of America,

Petitioner,

53 vs.

Paul David Sheridan.

Argument commenced by Mr. Leon Ulman for the petitioner and continued by Mr. John H. Pickering for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, NOVEMBER 13, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Herbert C. Smyth, Jr., It is ordered that Roy Lee Ellis, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel B. Fortenbaugh, Jr., It is ordered that Benjamin F. Stahl, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania; Robert Neely Ferrer, Esquire, of Philadelphia, Commonwealth of Pennsylvania; and John Randolph Young, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leon Ulman, it is ordered that Jack Wasserman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard H. Field, It is ordered that George Moncharsh, Esquire, of San Francisco, State of California, and Carl A. Auerbach, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allen J. Krouse, It is ordered that John Franklin Fort, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

53 vs.

Paul David Sheridan.

Argument continued by Mr. John H. Pickering for the respondent and concluded by Mr. Leon Ulman for the petitioner.

Unemployment Compensation Commission of the Territory of Alaska, et al.,

Petitioners,

25 vs.

Frank L. Aragan and Other Applicants, Members of Alaska Cannery Workers Union Local No. 5, et al.

Reargued by Mr. Marshall P. Madison for the petitioners and by Mr. Herbert Resner for the respondents.

George E. Hickman, as Administrator of the Estate of Norman E. Hickman, Deceased,

Petitioner,

47 vs.

John M. Taylor and George Anderson, Individually and Trading as Taylor & Anderson Towing and Lighterage Company, et al.

Argued by Mr. Abraham E. Freedman for the petitioner, and by Mr. Samuel B. Fortenbaugh, Jr. and Mr. William I. Radner for the respondents.

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The Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter H. Maloney, It is ordered that Marion B. Irland, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Merriam, It is ordered that William J. Stellman, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Perer, It is ordered that David Rein, Esquire, of New York, State of New York, and Herman A. Greenberg, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Pope, It is ordered that Hanselle Lindsay Hester, Esquire, of Winston-Salem, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Skelly Wright, It is ordered that Michael Emmett Culligan, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Benjamin Simmons, It is ordered that C. Raymond Salisbury, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Michael H. Sheridan, It is ordered that Henry R. Taecker, Jr., Esquire, of Skokie, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Burling, It is ordered that Thomas M. Cooley II, Esquire, of Waterford, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Bruce's Juices, Inc.,

Petitioner,

27 vs.

American Can Company.

Reargued by Mr. Thurman Arnold and Mr. Cody Fowler for the petitioner and by Mr. John Lord O'Brian for the respondent.

Alpine MacGregor,

Petitioner,

28 vs.

Westinghouse Electric & Manufacturing Company.

Reargued by Mr. William B. Jaspert for the petitioner and by Mr. Jo. Baily Brown for the respondent.

Edward Katzinger Company,

Petitioner,

70 vs.

Chicago Metallic Mfg. Company; and

Edward Katzinger Company,

Petitioner,

71 vs.

Chicago Metallic Mfg. Company.

Argument commenced by Mr. Charles J. Merriam for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John W. Davis, It is ordered that William H. Timbers, Esquire, of New York, State of New York; Richard G. McClung, Esquire, of New York, State of New York; Charles W. Spofford, Esquire, of New York, State of New York; Francis Shackelford, Esquire, of New York, State of New York; Samuel Hazard Gillespie, Jr., Esquire, of New York, State of New York; John E. Masten, Esquire, of New York, State of New York; Taggart Whipple, Esquire, of New York, State of New York; Edgar G. Crossman, Esquire, of New York, State of New York; and Daniel Nelson Adams, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Leon Winston, It is ordered that Harcourt E. Campbell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold B. Christen, It is ordered that Charles Herbert Johnson, Esquire, of Waterbury, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene H. DeHaga, It is ordered that Mortimer Bernard Miley, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solomon Alpher, It is ordered that Abe Fribush, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frazer Frost Milder, It is ordered that John Robert Lewis, Jr., Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Victor Packman, It is ordered that Austin T. Stickells, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Jones, It is ordered that Allen Monroe Jones, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Michael Emmett Culligan, It is ordered that L. C. Pecot, Esquire, of Franklin, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Clark, It is ordered that Thompson Hurrie, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Edward Katzinger Company,

Petitioner,

70 vs.

Chicago Metallic Mfg. Company; and

Edward Katzinger Company,

Petitioner,

71 vs.

Chicago Metallic Mfg. Company.

Argument continued by Mr. Charles J. Merriam for the petitioner; by Mr. Max Zabel for the respondent; and concluded by Mr. Charles J. Merriam for the petitioner.

Harice LeRoy Carter,

Petitioner,

36 vs.

The People of the State of Illinois.

Argued by Mr. Stephen A. Mitchell for the petitioner and by Mr. William C. Wines for the respondent.

Walter J. Rothensies, Individually and as United States Collector, etc.,

Petitioner,

48 vs.

The Electric Storage Battery Company, a Corporation.

Argument commenced by Mr. Arnold Raum for the petitioner.

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Proclamation being made the Court is adjourned until Monday next at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Ross Gamble, It is ordered that Alan G. Paine, Esquire, of Spokane, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond Brooks, It is ordered that Eldon M. Wright, Esquire, of North Manchester, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marx Leva, It is ordered that D. Allen Pace, Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Meeers, It is ordered that Charles P. McKeon, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Mawa, It is ordered that Jack Stewart Kempton, Esquire, of Tucson, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert V. Bryan, It is ordered that Edward D. Gasson, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard S. LeRoy, It is ordered that Henry E. Mills, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert E. Hallett, Jr., It is ordered that James Cunningham Murray, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fulton M. Brylawski, It is ordered that Miriam Olden Fendler, of Los Angeles, State of California, and Harold A. Fendler, Esquire, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Arthur M. Seiff, It is ordered that Samuel A. Fried, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas C. McDonald, It is ordered that John H. Grossman, Esquire, of Caldwell, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Champlin Refining Company, Appellant, vs. The United States of America and Interstate Commerce Commission. Appeal from the District Court of the United States for the Western District of Oklahoma.

21

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Frankfurter, Mr. Justice Douglas, and Mr. Justice Burton join.

Meber Kimball Cleveland, Petitioner, vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

12

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

Heber Kimball Cleveland,
Petitioner,
13 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

Heber Kimball Cleveland,
Petitioner,
14 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

David Brigham Darger, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

15

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

Vergel Y. Jessop, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

16

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

Theral Ray Dockstader, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

17

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

L. R. Stubbs, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

18

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

Pollis Gardner Petty, Petitioner, vs. The United States of America. — On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

19

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Concurring opinion by Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Murphy.

Halliburton Oil Well Cementing Company, Petitioner, vs. Cranford P. Walker and Cranford P. Walker, D. A. Walker, et al., Doing Business as Depthograph Company, a Copartnership. — On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

24

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Concurring: Mr. Justice Frankfurter.
Dissenting: Mr. Justice Burton.

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The Chief Justice announced the following order of the Court:

The New York, Chicago and St. Louis Railroad Company,
Appellant,
vs.
Commonwealth of Pennsylvania.

Appeal from the Supreme Court of the Commonwealth of Pennsylvania.

645

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

The New York, Chicago and St. Louis Railroad Company,
Appellant,
vs.
Commonwealth of Pennsylvania.

Appeal from the Supreme Court of the Commonwealth of Pennsylvania.

646

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

ORDER

It is ordered that Rule 2 of the Rules of this Court be amended by adding the following paragraph:

"6. An attorney, barrister, or advocate who is qualified to practice in the highest court of any foreign state which extends a like privilege to members of the bar of this Court, may be specially admitted for purposes limited to a particular case. He shall not, however, be authorized to act as attorney of record. In the case of such applicants, the oath shall not be required and there shall be no fee. Such admissions shall be only on motion of a member of the bar of this Court, notice of which signed by such mover and reciting all relevant facts shall be filed with the Clerk at least three days prior to the motion."

Per Mr. Chief Justice Vinson.

Ex parte Bernard M. Shotkin,

Petitioner.

58, Misc.

ON CONSIDERATION of the petitions for appeal and certiorari herein,

IT IS ORDERED by this Court that the said petitions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Alfred Johnson,

Petitioner.

60, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Guy Prather,

Petitioner.

59, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Billy Bernard Bledsoe,

Petitioner.

61, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Alonzo Williams,

Petitioner.

62, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The State of Illinois,

Complainant,

9, Original vs.

The State of Indiana, et al.

The Interim Report of the Special Master and his Special Report as to Shell Oil Company and The Texas Company are received and ordered filed. Exceptions and objections thereto, if any, are to be filed on or before December 16, next.

Per Mr. Chief Justice Vinson.

Arch R. Everson,

Appellant,

52 vs.

Board of Education of the Township of Ewing, etc., et al.

ON CONSIDERATION of the motion of E. Hilton Jackson for leave to appear and present oral argument on behalf of the Seventh Day Adventists and others as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Chicago, Rock Island and Pacific Railway Company, et al.,

Petitioners,

454 vs.

John C. Traphagen, et al.,

ON CONSIDERATION of the motion of Otis F. Glenn for leave to withdraw his appearance as counsel for the petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The Penfield Company of California and A. W. Young,

Petitioners,

453 vs.

Securities and Exchange Commission.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

M. T. McArthur,

Petitioner,

316 vs.

William W. Paw, et al.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chicago, Rock Island and Pacific Railway Company,

Petitioner,

410 vs.

Joseph B. Fleming and Aaron Colnon as Trustees of the Chicago, Rock Island and Pacific Railway Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carter H. Harrison, Jr., et al.,

Petitioners,

524 vs.

Joseph B. Fleming and Aaron Colnon, as Trustees of the Chicago, Rock Island and Pacific Railway Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo Sanders, Sole Trader, Doing Business as Leo Sanders Fuel Company,

Petitioner,

517 vs.

The Oklahoma Tax Commission.

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max M. Kohler, Individually and on Behalf of Others Similarly Situated,

Petitioner,

573 vs.

Mrs. Elizabeth McClellan Humphrey, as Testamentary Executrix of Byron C. McClellan, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. A. Gillespie and Sons Company,

Petitioner,

590 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

F. A. Gillespie and Sons Company, Petitioner,

591 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles P. Gotwals, Petitioner,

594 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chicago Pneumatic Tool Company, a Corporation of New Jersey, et al., Petitioners,

607 vs.

Hughes Tool Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Railroad Company of Puerto Rico,

Petitioner,

624 vs.

Antonio Torres Romero, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Texas Pacific Coal & Oil Company,

Petitioner,

642 vs.

N. G. Calcote, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Twin Falls Canal Company, a Corporation,

Petitioner,

487 vs.

Harold H. Johnson, North American Mortgage Company, a Montana Corporation, et al.

On petition for writ of certiorari to the Supreme Court of the State of Idaho.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Idaho, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas W. Lamont,

Petitioner,

557 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley W. Taylor,

Petitioner,

558 vs.

Paul A. Porter, Price Administrator, Office of Price Administration.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Stanley W. Taylor,

Petitioner,

558 vs.

Paul A. Porter, Price Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Illinois Packing Company, a Corporation,
Petitioner,
476 vs.
Charles B. Henderson, Individually and as Acting Administrator of the Office of Federal Loan Administrator, etc., et al.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

William Howard Taft Jones,
Petitioner,
566 vs.
The State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals, State of Texas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Finn,
Petitioner,
664 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Logan Morris,

Petitioner,

668 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Evans,

Petitioner,

669 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth W. Colegrove, Peter J. Chamales and Kenneth C. Sears,

Appellants,

804 O.T. '45 vs.

Dwight H. Green, as a Member, Ex-officio of Primary Certifying Board of the State of Illinois, et al.

ON CONSIDERATION of the motion of counsel for appellants for re-argument before a full bench,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this motion.

Chester Slivensky,

Petitioner,

2, Misc. vs.

People of the State of New Jersey.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederic F. Wolter,

Petitioner,

218 vs.

Safeways Stores, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence C. Mason,

Petitioner,

282 vs.

State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Order of Railroad Telegraphers, an Unincorporated Association, et al.,

Petitioners,

449 vs.

New Orleans, Texas & Mexico Railway Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, November 25, until Monday, December 9, next.

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Walter J. Rothensies, Individually and as United States Collector of Internal Revenue for the First District of Pennsylvania,

Petitioner,

48 vs.

The Electric Storage Battery Company, a Corporation.

Argument concluded by Mr. Laurence H. Eldredge for the respondent.

State of Louisiana, ex rel. Willie Francis,

Petitioner,

142 vs.

E. L. Resweber, Sheriff of the Parish of St. Martin, Louisiana, et al.

Argued by Mr. James Skelly Wright for the petitioner and by Mr. Michael E. Culligan and Mr. L. O. Pecot for the respondents.

Dr. Furman Angel,

Petitioner,

vs.

[illegible]. H. Bullington.

Rearrument commenced by Mr. George Lyle Jones for the petitioner and continued by Mr. R. Roy Rush for the respondent.

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[illegible]roclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic Solomon, It is ordered that Jerome W. Shay, Esquire, of Frankfort, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur G. Logan, It is ordered that James Caleb Boggs, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward G. Kemp, It is ordered that John J. Adams, Esquire, of Cleveland, State of Ohio, and Mark A. Loofbourrow, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry F. Butler, It is ordered that Frank D. James, Jr., Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles P. Liff, It is ordered that Frances Lopinsky, of Charleston, State of West Virginia, and Philip Travis, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that Robert J. Trace, Esquire, of Harrisburg, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mortimer Bernard Kiley, It is ordered that Loren H. Laughlin, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Dr. Furman Angel,

Petitioner,

51 vs.

W. H. Billington.

Reargument continued by Mr. R. Roy Rush for the respondent and concluded by Mr. George Lyle Jones for the petitioner.

Murray Winters,

Appellant,

53 vs.

The People of the State of New York.

Reargued by Mr. Arthur N. Seiff and Mr. Emanuel Redfield for the appellant and by Mr. Whitman Knapp for the appellee.

People of the State of Illinois, ex rel.
Robert L. Gordon, Director of Labor,

Petitioner,

35 vs.

Nigal D. Campbell, Collector of Internal Revenue.

Reargued by Mr. Albert M. Unlicott for the petitioner and by Mr. J. Louis Monarch for the respondent.

Ferdinand Piswick, Jacob F. Mayer, and Fritz Gustav Rudolph,

Petitioners,

51 vs.

The United States of America.

Argument commenced by Mr. Frederic M. P. Pearse for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, NOVEMBER 20, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Challen B. Ellis, It is ordered that Albert McCay, Esquire, of Palmyra, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leon Ulman, It is ordered that John Markley Scanlon, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Porter R. Chandler, It is ordered that Roger R. Clisham, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. Frazier, It is ordered that Frank Thomas Miller, Jr., Esquire, of Greensboro, State of North Carolina, and Oscar Leak Tyree, Esquire, of Winston-Salem, State of North Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Rogers, It is ordered that Claude C. Pierce, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel W. O'Donoghue, Jr., It is ordered that Wyckoff Westover, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Carroll Hunter, It is ordered that Florence M. Middelkamp, of Kansas City, State of Missouri; Clair L. Kintz, Esquire, of Washington, District of Columbia; and Marion R. Garstang, Esquire, of Linn, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Ruland I. Snyder, It is ordered that W. R. Sheeley, Esquire, of Dadeville, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Ferdinand Piswick, Jacob F. Mayer,
and Fritz Gustav Rudolph,

Petitioners,

51 vs.

The United States of America.

Argument continued by Mr. Frederic M. P. Pearse for the petitioners and concluded by Mr. Leon Ulman for the respondent.

Arch R. Everson,

Appellant,

52 vs.

Board of Education of the Township
of Ewing, In the County of Mercer, et al.

Argued by Mr. Edward R. Burke and Mr. E. Hilton Jackson for the appellant and by Mr. William H. Speer for the appellees.

The United States of America,

Petitioner,

54 vs.

Joseph Ruzicka and Charles Ruzicka,
Individually and as Co-partners Trading
as Lesley Dairy.

Argument commenced by Mr. Acting Solicitor General Washington for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Ewan Shea, It is ordered that Russell F. O'Hara, Esquire, of Vallejo, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Jean R. Meyer, It is ordered that David S. Pattullo, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy H. Woodward, It is ordered that Harold L. Kennedy, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Neblett, It is ordered that Gerald Willis Myers, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Paul A. F. Warnholtz, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that William Wayne Oliver, Esquire, of Maryville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry R. Baecker, Jr., It is ordered that Walker Allen Jensen, Esquire, of Winnetka, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nelson Thomas, It is ordered that Charles W. Stadell, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Riley A. Gwynn, It is ordered that Archie R. Boyack, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

54 vs.

Joseph Ruzicka and Charles Ruzicka,
Individually and as Co-Partners
Trading as Seeley Dairy.

Argument continued by Mr. Acting Solicitor General Washington for the petitioner and concluded by Mr. William Parker Ward for the respondents.

National Labor Relations Board,

Petitioner,

60 vs.

A. J. Tower Company.

Argued by Mr. Gerhard P. Van Arkel for the petitioner and by Mr. John T. Noonan for the respondent.

Major General W. W. Eagles, Post Commanding Officer, Fort Dix, New Jersey,

Petitioner,

58 vs.

United States, ex rel. Harry Horowitz; and

Major General W. W. Eagles, Post Commanding Officer, Fort Dix, New Jersey,

Petitioner,

59 vs.

United States, ex rel. Jacob S. Samuels.

Argued by Mr. Irving S. Shapiro for the petitioner and by Mr. Meyer Kreeger for the respondents.

Hans Max Haupt,

Petitioner,

49 vs.

The United States of America.

Argument commenced by Mr. Paul A. F. Warnholtz for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Harry M. Edelstein, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marvin H. Smith, It is ordered that Hope Robbins Hooe, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Carl Frederick Bauersfeld, It is ordered that William R. Talley, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy St. Louis, It is ordered that Bernard D. Craig, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry M. Littman, It is ordered that L. Alward White, Esquire, of Amarillo, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen Newman, It is ordered that Pauline G. Evansha, of Hazleton, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. John C. Ristine, It is ordered that Chester H. Ferguson, Esquire, of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Hans Max Haupt,

Petitioner,

49 vs.

The United States of America.

Argument continued by Mr. Paul A. F. Warnholtz for the petitioner and concluded by Mr. Frederick Bernays Wiener for the respondent. Leave granted petitioner to file a brief by December 2, next.

Federal Communications Commission,

Petitioner,

65 vs.

W O K O, Incorporated.

Argued by Mr. Harry M. Plotkin for the petitioner and by Mr. William J. Dempsey for the respondent.

The United States of America,

Petitioner,

67 vs.

Louis Bruno.

Argued by Mr. Stanley M. Silverberg for the petitioner and by Mr. George R Sommer for the respondent.

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Proclamation being made the Court is adjourned until Monday, November 25, next, at 12 o'clock.

MONDAY, NOVEMBER 27, 1944.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Donnalls Hagerman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Al Bassett, It is ordered that John S. Bowers, Esquire, of Kalamazoo, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey P. Carter, It is ordered that Hiram Percival Nevins, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George L. Quinn, Jr., It is ordered that Samuel Rockwell, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert David Doty, It is ordered that Edwin B. Patterson, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that Paul Stickler, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Woodbury Arth, It is ordered that Lester E. Denonn, Esquire, of New York, State of New York, and John L. Laskey, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. G. Hedrick, It is ordered that R. M. Arnold, Esquire, of Columbus, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward S. Nelson, It is ordered that Lyle L. Iversen, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William T. Thurman, It is ordered that Perris S. Jensen, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Bourg, It is ordered that Laurance W. Brooks, Esquire, of Baton Rouge, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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American Power & Light Company, Petitioner, vs. Securities and Exchange Commission. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

4

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Justice Murphy.

Mr. Justice Frankfurter agrees with the opinion except as noted by him.

Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of this case.

Concurring opinion by Mr. Justice Rutledge.

Electric Power & Light Corporation, Petitioner, vs. Securities and Exchange Commission. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

5

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Justice Murphy.

Mr. Justice Frankfurter agrees with the opinion except as noted by him.

Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of this case.

Concurring opinion by Mr. Justice Rutledge.

Lakefield Oil Corporation, Appellant, vs. State Board of Equalization. Appeal from the Supreme Court of the State of California.

46

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Murphy took no part in the consideration or decision of this case.

Dissenting opinion by Mr. Justice Black.

The United States, Petitioner, vs. The Howard P. Foley Company, Inc. On writ of certiorari to the Court of Claims.

50.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Court of Claims for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting: Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Jackson.

The United States, Petitioner, vs. Alcea Band of Tillamooks, et al. 26

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this case.

Concurring opinion by Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Rutledge and Mr. Justice Burton join.

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The Chief Justice announced the following order of the Court:

Motorists Mutual Insurance Company, Appellant, vs. Harry Hendershot, Administrator of the Estate of Anna L. Hendershot, Deceased. 670

Appeal from the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte LeRoy James Jeffries,

Petitioner.

, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte James Wilson,

Petitioner.

, Misc.

ON CONSIDERATION of the motions for leave to file a petition for writ of habeas corpus and petition for ancillary writ of certiorari herein,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Mitchell,

Petitioner.

66, Misc.

ON CONSIDERATION of the application submitted herein by William Mitchell,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Newton W. Ellis, Order allowing certiorari.

Petitioner,

520 vs.

Union Pacific Railroad Company.

The petition herein for a writ of certiorari to the Supreme Court of the State of Nebraska is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Charles A. Dana, Sir James Dunn, John W. Hubbard, et al., etc., Petitioners,
609 vs.
J. Donald Duncan, as Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

It is ordered by this Court that so much of the petition for writ of certiorari herein as asks for a writ to review the order of the United States District Court for the Southern District of New York, be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Equitable Office Building 1913 Co., Inc., Petitioner,
610 vs.
J. Donald Duncan, as Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

It is ordered by this Court that so much of the petition for writ of certiorari herein as asks for a writ to review the order of the United States District Court for the Southern District of New York, be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Ebling Brewing Co., Inc., Petitioner,
589 vs.
Paul A. Porter, Price Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer A. Trow,

Petitioner,

vs.

Dan E. Garvey, as Secretary of State of the State of Arizona.

On petition for writ of certiorari to the Supreme Court of the State of Arizona.

605

[illegible] petition for a writ of certiorari herein to the Supreme Court of the State of Arizona, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard A. Kent,

Petitioner,

vs.

The United States of America.

On petition for writ of certiorari to the United Stated Circuit Court of Appeals for the Fifth Circuit.

603

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible] Apartments Hotel Corporation,

Petitioner,

vs.

City National Bank and Trust Company of Chicago, Individually and as Successor Trustee.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

613

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Walter C. Burr, Deceased, Jerome P. Burr and Clinton S. Burr, Executors,

Petitioners,

617 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

McCrady Construction Co.,

Petitioner,

635 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Archie Finch and Nancy Finch,

Petitioners,

655 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of New York, Ex Rel. Paul Lutz,

Petitioner,

vs.

Walter B. Martin, M. D. as Warden of Attica State Prison, Attica, New York.

On petition for writ of certiorari to the Supreme Court, Appellate Division, State of New York.

502

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otis Myers,

Petitioner,

vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

665

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Dawsett,

Petitioner,

vs.

Gerald F. Bush, Warden of the State House of Correction and Branch Prison at Marquette, Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

671

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Green, Petitioner, vs. People of the State of Illinois.

683

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur S. Newman, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

684

On petition for writ of certiorari to the Circuit Court of Bond County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Ross, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

685

On petition for writ of certiorari to the Criminal Court of Rock Island County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Sheets,

Petitioner,

686 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Wofford,

Petitioner,

691 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Maciong,

Petitioner,

692 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Peeler,

Petitioner,

165 vs.

Mrs. Essie Cook Caver Peeler.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Millard C. Baker, Isadore Walter Kahn, Benjamin L. Levy, et al.,

Petitioners,

484 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nathan Silverman,

Petitioner,

485 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rubein V. Johnson,

Petitioner,

486 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Okonite Company,

Petitioner,

501 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl P. Cook,

Appellant,

531 vs.

Ben W. Fortson, Jr., as Secretary of State of Georgia, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Robert Lee Turman and Cullen B. Gosnell,

Appellants,

532 vs.

J. Lon Duckworth, as Chairman of the Georgia State Democratic Executive Committee, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, December 9, next.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mrs. Una Rita Morris, It is ordered that Marion E. Caswell, of Superior, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Henry A. Hirshberg, It is ordered that Elmer Ware Stahl, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Sapienza, It is ordered that Milton R. Schlesinger, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. V. C. Shuttleworth, It is ordered that Harry E. Wilmarth, Esquire, of Cedar Rapids, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ben S. Fisher, It is ordered that Clyde Lawson Walker, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Ray H. Overacker, Esquire, of Huntington Beach, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. F. R. Ogilby, It is ordered that Hugh D. Wise, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Ristine, It is ordered that Charles H. Rutherford, Jr., Esquire, of Nashville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Johnson, It is ordered that John Charles Henderson, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest F. Wenderoth, It is ordered that Harold E. Andrews, Jr., Esquire, of Ashland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Raymond Lawrence Sullivan, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Keith L. Seegmiller, It is ordered that Ray R. Murdock, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McGowan, It is ordered that Hugh B. Dudley, Esquire, of West Palm Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ferre C. Watkins, It is ordered that Charles Frederick Meyers, Esquire, of Chicago, State of Illinois, and Raymond G. Real, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morton Liftin, It is ordered that Harold Laurence Lipton, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard J. Emmerglick, It is ordered that Frederick C. Vonhof, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter B. Emery, It is ordered that Hunter L. Johnson, Jr., Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas E. Rhodes, It is ordered that John Thomas Daly, Esquire, of Great Neck, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Egan Shea, It is ordered that Charles W. Burkett, Jr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Casper William Ooms, It is ordered that Victor S. Johnson, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Petitioner, vs. Iska W. Carmack. 40

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Douglas concurs in the result and substantially agrees with the opinion of the Court.

Federal Communications Commission, Petitioner, vs. W O K O, Incorporated. 65

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Court of Appeals with direction to remand to the Federal Communications Commission.

Per Mr. Justice Jackson.

Anna M. Ballard and Donald Ballard, Petitioners, vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Opinion by Mr. Justice Jackson concurring in the result.

Separate opinion by Mr. Justice Frankfurter in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton join.

Dissenting opinion by Mr. Justice Burton in which the Chief Justice and Mr. Justice Frankfurter join. Mr. Justice Jackson joins in the opinion of Mr. Justice Burton except insofar as the final paragraph relates to an affirmance of the convictions.

The United States of America, Petitioner, vs. Louis Bruno. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Ferdinand Fiswick, Jacob F. Mayer and Fritz Gustav Rudolph,

Petitioners,

51 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Marice LeRoy Carter,

Petitioner,

36 vs.

The People of the State of Illinois.

On writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Rutledge concur.

Dissenting opinion by Mr. Justice Murphy.

Vanston Bondholders Protective Committee,

Petitioner,

[illegible]2 vs.

Louis A. Green and Robert Heilbrunn, Known in these Proceedings as the Green Committee and Morris Green; and

Vanston Bondholders Protective Committee, Petitioner,

43 vs.

Earl B. Early, Daniel Matthews, Thomas Matthews, Jack Patton and P. G. Meador.

On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THESE CAUSES came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgments of the said Circuit Court of Appeals, in these causes be, and the same are hereby, affirmed with costs; and that these causes be, and the same are hereby, remanded to the District Court of the United States for the Eastern District of Kentucky.

Per Mr. Justice Black.

Mr. Justice Reed took no part in the consideration or decision of these cases.

Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins. Mr. Justice Burton having concurred in the opinion of the Court also joins in the opinion of Mr. Justice Frankfurter.

Van Horn Bondholders Protective Committee,

Petitioner,

[illegible]41 vs.

Louis A. Green and Robert Heilbrunn, known in these Proceedings as the Green Committee and Morris Green; and

Van Horn Bondholders Protective Committee,

Petitioner,

45 vs.

Carl B. Early, Daniel Matthews, Thomas Matthews, Jack Patton and P. G. Meador.

On writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THESE CAUSES came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgments of the said Circuit Court of Appeals, in these causes be, and the same are hereby, affirmed with costs; and that these causes be, and the same are hereby, remanded to the District Court of the United States for the Eastern District of Kentucky.

Per Mr. Justice Black.

Mr. Justice Reed took no part in the consideration or decision of these cases.

Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins. Mr. Justice Burton having concurred in the opinion of the Court also joins in the opinion of Mr. Justice Frankfurter.

Alma Motor Company,

Petitioner,

11 vs.

The Timken-Detroit Axle Company and The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, vacated without costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Unemployment Compensation Commission of the Territory of Alaska, et al.,

Petitioners,

25 vs.

Frank L. Aragon and Other Applicants, Members of Alaska Cannery Workers Union Local No. 5, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed in part and reversed in part as indicated in the opinion of this Court. One-fifth of the costs in this Court are to be taxed against petitioners, Unemployment Compensation Commission of the Territory of Alaska and Alaska Salmon Company, while no costs in this Court are to be taxed against Alaska Packers Association and Red Salmon Canning Company. Four-fifths of the costs are to be taxed against respondents.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Territory of Alaska with instructions to remand to the said Unemployment Compensation Commission for further proceedings pursuant to the opinion of this Court.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following orders of the Court:

W. H. Tompkins Company, now Tompkins Motor Lines, Inc.,

Appellant,

681 vs.

The United States of America and Interstate Commerce Commission.

Appeal from the District Court of the United States for the Middle District of Tennessee.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Tennessee, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court, in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, adjudged, and decreed by this Court that the decree of the District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted.

The Sioux Tribe of Indians, Petitioner, vs. The United States. 368

On petition for writ of certiorari to the Court of Claims.

A petition for rehearing having been submitted in this case,

UPON CONSIDERATION WHEREOF, It is ordered by this Court that the petition for rehearing be, and the same is hereby, granted.

AND IT IS FURTHER ORDERED that the order denying certiorari entered October 21, 1946, be, and the same is hereby, vacated; and that the petition for writ of certiorari herein be, and the same is hereby, granted.

AND IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians, Petitioner, vs. The United States. 368

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and on petition for rehearing, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Court of Claims in order to enable that court to determine whether the Act of August 13, 1946, gives rise to any claims which petitioner may assert to affect the judgment heretofore entered in this cause, as to which this Court means to intimate no opinion.

Per Mr. Chief Justice Vinson.

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Ex parte Frank Smith,

Petitioner.

67, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Joseph Greco,

Petitioner.

69, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Otis Myers,

Petitioner.

72, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Lawrence DeCloux,

Petitioner.

68, Misc.

ON CONSIDERATION of the application submitted herein by Lawrence DeCloux,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte L. P. Glass,

Petitioner.

70, Misc.

ON CONSIDERATION of the application submitted herein by L. P. Glass,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William M. Lee,

Petitioner.

73, Misc.

ON CONSIDERATION of the application submitted herein by William M. Lee,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Francis Haines,

Petitioner.

No. [illegible].

ON CONSIDERATION of the motion of Francis Haines for an injunction herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul A. Porter, Administrator, Office of Price Administration,

Appellant,

682 vs.

Dusty Rhodes, Sheriff, Tarrant County, Texas, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

John H. Fahey and A. V. Ammann, Individually and Respectively as Federal Loan Bank Commissioner and Conservator, etc.,

Appellants,

687 vs.

Paul Mallonee, et al.

ON CONSIDERATION of the motion, presented to Mr. Justice Rutledge, to vacate the stay order dated October 1, 1946, and by him referred to the Court,

IT IS ORDERED by this Court that the motion to vacate the stay order of October 1, 1946, be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John H. Fahey and A. V. Ammann,
Individually and Respectively as
Federal Loan Bank Commissioner and
Conservator, etc.,

Appellants,

687 vs.

Paul Mallonee, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

606 vs.

Samuel Bayer, Elias Bayer and
Walter V. Radovich.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

James E. Markham, Alien Property Custodian, Order allowing certiorari.

Petitioner,

626 vs.

Alvina Allen, Gertrude Dinwiddie,
Hilda Pigozzi, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Packard Motor Car Company, Order allowing certiorari.

Petitioner,

658 vs.

National Labor Relations Board.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Francis R. Cope, Jr., Order allowing certiorari.

Petitioner,

593 vs.

A. M. Anderson, Receiver of the National Bank of Kentucky.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

A. M. Anderson, Receiver of the National Bank of Kentucky, Louisville, Kentucky, Order allowing certiorari.

Petitioner,

656 vs.

Lawrence S. Helmers, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately following No. 593.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be

treated as though filed in response to such writ.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

The United States of America, Petitioner,

759 vs.

United Mine Workers of America, an Unincorporated Association.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted. The case is assigned for argument on Tuesday, January 14th, next.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

760 vs.

John L. Lewis, Individually and as President of the United Mine Workers of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted. The case is assigned for argument on Tuesday, January 14th, next.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

119 Madison Avenue Corporation and Williams & Company, Inc.,

Petitioners,

vs.

Frank Asselta, Camilo Del Rio, Joseph McArdle, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

A petition for rehearing having been submitted in this case,

UPON CONSIDERATION THEREOF, It is ordered by this Court that the petition for rehearing be, and the same is hereby, granted.

AND IT IS FURTHER ORDERED that the order denying certiorari entered October 28, 1946, be, and the same is hereby, vacated; and that the petition for writ of certiorari herein be, and the same is hereby, granted. The case is transferred to the summary docket and assigned for argument immediately following No. 564, which case is assigned for argument immediately following [illegible].

AND IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Werner Reimann,

Petitioner,

vs.

Tom C. Clark, Attorney General of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

MONDAY, [illegible] - ORDERS.

Citizens Protective League, et al., Petitioners,
587 vs.
Tom C. Clark, Attorney General of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Citizens Protective League, et al., Petitioners,
588 vs.
Tom C. Clark, Attorney General of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grandview Dairy, Inc., Petitioner,
619 vs.
Marvin Jones, War Food Administrator, and Claude R. Wickard, Secretary of Agriculture of the United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Triumph Explosives, Inc., Formerly [illegible] Triumph Explosives Germany, Ltd., Petitioner,

632 vs.

Oscar Giusti.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Superior Packing Company, Petitioner,

633 vs.

Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bailey Farm Dairy Company, et al., Petitioners,

640 vs.

Clinton P. Anderson, Secretary of Agriculture.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louisville Provision Company, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

641

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Investment Corporation, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

651

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilson & Co., Inc., et al., Petitioners, vs. National Labor Relations Board. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

663

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. J. Zayatz,
Petitioner,
548 vs.
Southern Railway Company.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of opinion that the petition should be granted.

Wilbur Paul Patterson,
Petitioner,
576 vs.
The State of Florida.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Davis,
Petitioner,
466 vs.
W. Frank Smyth, Jr., Superintendent of the Virginia State Penitentiary.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph W. Reilly,
Petitioner,
506 vs.
Michael J. Pescor, Warden, Medical Center for Federal Prisoners, Springfield, Missouri, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise Peete,
Petitioner,
657 vs.
The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Richardson,
Petitioner,
666 vs.
The People of the State of New York.

On petition for writ of certiorari to the Supreme Court, Richmond County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence H. Thomas,
Petitioner,
667 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court, Rock Island County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marlen Broyles,
Petitioner,
696 vs.
The State of Oklahoma.

On petition for writ of certiorari to the Criminal Court of Appeals, State of Oklahoma.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wesley O. Cross,
Petitioner,
701 vs.
Gerald F. Bush, Warden, State House of Correction and Branch Prison, Marquette, Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James W. Ross, Petitioner,

709 vs.

Walter Wiersthoimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael Prokop, Petitioner,

713 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry L. Wilson, Petitioner,

714 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Paul Abbott,

Petitioner,

716 vs.

Pennsylvania Board of Parole.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Stuart Fowler,

Petitioner,

334 vs.

Howard B. Gill, General Superintendent, D. C. Penal Institutions.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Stuart Fowler,

Petitioner,

334 vs.

Howard B. Gill, General Superintendent, D. C. Penal Institutions.

ON CONSIDERATION of the motions for a restraining order, for joinder of party respondent, and to strike respondent's memorandum in this case,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Ex Parte Edmond C. Fletcher,

Petitioner,

57, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Rutledge took no part in the consideration or decision of this application.

Harry J. Alker, Jr., and Mamie DuBan,
Individually and as Executrix of the
Estate of Alfred A. DuBan, Deceased,

Petitioners,

[illegible], O.T. '45 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion for leave to file a fifth petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Bernard M. Shotkin,

Petitioner,

176 vs.

Judges, Superior Court, Atlanta Circuit.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Palumbo,

Petitioner,

239 vs.

J. Vernal Jackson, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Texas Pacific Coal & Oil Company,

Petitioner,

642 vs.

R. G. Calcote, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Bishop Donnell,

Petitioner,

659 vs.

Ben H. Stewart, Acting Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States of America and
Interstate Commerce Commission,

Appellants,

61 vs.

Seatrain Lines, Inc.

Argued by Mr. Edward M. Reidy for the appellants and by Mr. Wilbur LaRoe, Jr., for the appellee.

Charles B. Morris,

Appellant,

62 vs.

Paul F. Jones, Director of Insurance
of the State of Illinois.

Argument commenced by Mr. Ford W. Thompson for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hatton W. Sumners, It is ordered that Roger C. Slaughter, Esquire, of Kansas City, State of Missouri, and Howard Worth Smith, Jr., Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Cragun, It is ordered that Lawrence E. Williams, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin Warren Bell, It is ordered that Joseph Leon Mellis, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford J. Durr, It is ordered that Walter Ervin James, Esquire, of Montgomery, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howland W. Fixel, It is ordered that Gordon P. Eckman, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Roland Kinzer, It is ordered that Clay M. Ryan, Esquire, of Lancaster, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel H. Kunkel, It is ordered that Joseph Kadans, Esquire, of Baltimore, State of Maryland, and William F. McDonald, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Ash, It is ordered that Jacob Rassner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving M. Gruber, It is ordered that Jacob W. Rosenthal, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William John Kenney, It is ordered that Henry B. Ely, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank M. Swacker, It is ordered that Bertrand Mahoney, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Harry H. Schneider, It is ordered that Richard Wagner Dickenson, Esquire, of Stockton, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that George F. McKendry, Esquire, of Cannondale, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Borg-Warner Corporation and David E. Rumble,

Petitioners,

700 vs.

George I. Goodwin and John P. Daukus.

ON CONSIDERATION of the motion of counsel for respondents to extend the time within which to file brief in response to the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to and including December 20, 1946.

Per Mr. Chief Justice Vinson.

Wabash Railroad Company,

Petitioner,

763 vs.

J. F. Williamson.

ON CONSIDERATION of the motion to extend the time to make service of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to a date which is not later than ten days after the giving of notice by the Clerk of this Court to counsel for petitioner that the printed records have been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

The City of Portland, a Municipal Corporation,

Petitioner,

770 vs.

Public Market Company of Portland, Reconstruction Finance Corporation, et al.

ON CONSIDERATION of the motion to extend the time to make service of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to a date which is not later than ten days after the giving of notice by the Clerk of this Court to counsel for petitioner that the printed records have been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

Werner Reimann,

Petitioner,

586 vs.

Tom C. Clark, Attorney General of the United States;

Citizens Portective League, et al.,

Petitioners,

587 vs.

Tom C. Clark, Attorney General of the United States; and

Citizens Protective League, et al.,

Petitioners,

588 vs.

Tom C. Clark, Attorney General of the United States.

ON CONSIDERATION of the motion of counsel for petitioners to stay the issuance of the orders denying petition for writs of certiorari in these cases,

IT IS ORDERED by this Court that the orders denying a petition for writ of certiorari be withheld until December 20, and if petition for rehearing is filed by that date then the orders to be held until action on the petition for rehearing.

Per Mr. Chief Justice Vinson.

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Charles B. Morris,

Appellant,

62 vs.

Paul F. Jones, Director of Insurance of the State of Illinois.

Argument continued by Mr. Ford W. Thompson for the appellant, by Mr. Ferre C. Watkins for the appellee, and concluded by Mr. J. L. London for the appellant.

Board of Governors of the Federal Reserve System, et al.,

Petitioners,

66 vs.

John Agnew, F. C. Fayerweather.

Argued by Mr. J. Leonard Townsend for the petitioners and by Mr. Hugh H. Obear for the respondents.

The Order of Railway Conductors of America, H. W. Fraser, President, et al.,

Petitioners,

63 vs.

O. E. Swan, et al.; and

F. J. Williams, William Bishop,
Paul M. Carter, et al., etc.,

Petitioners,

64 vs.

O. E. Swan, et al.

Argument commenced by Mr. T. J. Shuttleworth for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Bonnett, It is ordered that Robert Roy Dann, Esquire, of New York, State of New York; Samuel David Slade, Esquire, of Alexandria, Commonwealth of Virginia; John J. McGinty, Esquire, of Washington, District of Columbia; and Eli E. Nobleman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that John T. Casey, Esquire, of New York, State of New York; John A. Montgomery, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania; and Rowland F. Schlegel, Esquire, of Peoria, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Ramage Lewis, It is ordered that Kingsley A. Taft, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Norma F. Zarky, It is ordered that Marie McCutcheon, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Raymond J. Mawhinney, It is ordered that Joseph Wainer, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Laura Marie Berrien, It is ordered that Marjorie Pitts Amendola, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Francis Biddle, It is ordered that Harold L. Ickes, Esquire, of Washington, District of Columbia, and Raymond W. Ickes, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fatima W. Lubar, It is ordered that Lee W. Cowan, Esquire, of Washington, District of Columbia, and Oscar J. See, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Lund, It is ordered that Charles Franklin Brannan, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob Rassner, It is ordered that Bertram J. Dembo, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles D. Mamel, It is ordered that William L. Kumler, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Order of Railway Conductors of America, H. W. Fraser, President, et al.,

Petitioners,

63 vs.

O. E. Swan, et al.; and

P. J. Williams, William Bishop, Paul M. Carter, et al., etc.,

Petitioners,

64 vs.

O. E. Swan, et al.

Argument continued by Mr. V. C. Shuttleworth for the petitioners; by Mr. Douglas F. Smith for respondents, Carrier Members of the First and Fourth Divisions, et al.; by Mr. Anan Raymond for respondent, Railway Yardmasters of America; and concluded by Mr. V. C. Shuttleworth for the petitioners.

Beulah B. Crane,

Petitioner,

68 vs.

Commissioner of Internal Revenue.

Argued by Mr. Edward S. Bentley for the petitioner and by Mr. J. Louis Monarch for the respondent.

American Stevedores, Inc.,

Petitioner,

69 vs.

Rosario Porello and The United States of America.

Argument commenced by Mr. Edward Ash for the petitioner and continued by Mr. J. Frank Staley for the respondent, The United States, and by Mr. Jacob Rassner for the respondent, Rosario Porello.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John E. Benton, It is ordered that John L. Collins, Esquire, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham H. Waller, It is ordered that Jacob Cohen, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abner H. Ferguson, It is ordered that Ernest K. James, Esquire, of Charleston, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Miller, It is ordered that John C. Collet, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter Ratcliff, It is ordered that Luke Ferdinand Ryan, Esquire, of Northampton, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius I. Peyser, It is ordered that Murray Steyer, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Jefferson Woodrow Gilmore, Esquire, of Grove Hill, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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American Stevedores, Inc.,

Petitioner,

69 vs.

Rosario Porello and The United States of America.

Argument continued by Mr. Jacob Rassner for the respondent, Rosario Porello, and concluded by Mr. Edward Ash for the petitioner.

The United States of America,

514 vs.

Maria R. Lauro, as Administratrix of the Goods, Chattels, and Credits of Peter Lauro, Deceased.

Argued by Mr. J. Frank Staley for the United States and by Mr. Jacob Rassner for Maria R. Lauro, as Administratrix, etc.

International Harvester Company,

Appellant,

75 vs.

Tax Commissioner of Ohio.

Argument commenced by Mr. Joseph J. Daniels for the appellant, continued by Mr. A. A. Wendt for the appellee, and concluded by Mr. Edward R. Lewis for the appellant.

George Harris,

Petitioner,

84 vs.

The United States of America.

Argument commenced by Mr. Roy St. Lewis for the petitioner and continued by Mr. Frederick Bernays Wiener for the respondent and by Mr. Herbert A. Hyde for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, DECEMBER 13, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Rhoads Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Harry Lane, It is ordered that Ralph W. Chandless, Esquire, of Hackensack, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. DeWolfe, It is ordered that John Spiller, Esquire, of Olympia, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duane E. Minard, It is ordered that Thomas Edward Hunter, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that Leonard Helfenstein, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marcus Cohn, It is ordered that Henry Waldman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Wheeler, It is ordered that Charles E. Nieman, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Walker, It is ordered that Carl Middleton English, Esquire, of Chevy Chase, State of Maryland; William Moses Rice, Esquire, of Alexandria, Commonwealth of Virginia; and John L. Grabber, Esquire, of Kalamazoo, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles T. Aire, It is ordered that Thomas H. Riley, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Clifford Walck, It is ordered that Harold A. Kooman, Esquire, of Saint Petersburg, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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George Harris,

Petitioner,

54 vs.

The United States of America.

Argument concluded by Mr. Herbert K. Hyde for the petitioner.

The United States of America,

Petitioner,

77 vs.

William M. Dickinson; and

The United States of America,

Petitioner,

78 vs.

F. M. Withrow.

Argued by Mr. Ralph S. Boyd for the petitioner and by Mr. Ernest K. James for the respondents.

Securities and Exchange Commission,

Petitioner,

81 vs.

Chenery Corporation, et al.; and

Securities and Exchange Commission,

Petitioner,

82 vs.

Federal Water and Gas Corporation.

Argument commenced by Mr. Roger S. Foster for the petitioner and continued by Mr. Spencer Gordon for the respondents in No. 81.

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Proclamation being made the Court is adjourned until Monday, December 16

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Innalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Bruce Bitmas Bromley, It is ordered that John H. Morse, Esquire, of New York, State of New York; Hugh Lynch, Jr., Esquire, of Washington, District of Columbia; and Keith Lorenz, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sylvester S. Garfield, It is ordered that David V. Easton, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James F. Pierce, It is ordered that D. Clyde Jones, Esquire, of Rochester, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solomon Alpher, It is ordered that Leo M. Alpert, Esquire, of Baltimore, State of Maryland, and Arthur W. Janklow, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Miller, It is ordered that Alfred C. Denton, Esquire, of [illegible], State of Idaho, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hilton Carr Ferguson, It is ordered that L. Dan Jones, Esquire, of Oklahoma, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Walter J. Rothensies, individually and as United States Collector of Internal Revenue for the First District of Pennsylvania,

Petitioner,

vs.

The Electric Storage Battery Company, a Corporation.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION [illegible], It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge.

Almira C. Freeman, Successor Trustee Under the Will and of the Estate of Henry C. Starr, Deceased,

Appellant,

3 vs.

Milbert M. Mowit, Director of Gross Income Tax Division, Department of Treasury, State of Indiana.

Appeal from the Supreme Court of the State of Indiana.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Frankfurter.

Concurring: Mr. Justice Rutledge.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy.

The United States of America,

Petitioner,

54 vs.

Joseph Ruzicka and Charles Ruzicka, Individually, and as Co-partners Trading as Seeley Dairy.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Douglas concurs in the result.

The Chief Justice announced the following orders of the Court:

The Sioux Tribe of Indians, Petitioner, vs. The United States. 369

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians, Petitioner, vs. The United States. 369

On writ of certiorari to the Court of Claims.

It appearing to the Court that counsel for the petitioner have filed a motion to vacate the order of October 28, 1946, dismissing the petition for writ of certiorari and to remand the case;

On consideration whereof, it is ordered by this Court that the order of October 28, 1946, be, and the same is hereby, vacated and that the petition for writ of certiorari herein be, and the same is hereby, granted.

It is further ordered that the judgment of the Court of Claims in this case be, and the same is hereby, vacated, and that the case be, and the same is hereby, remanded to the Court of Claims in order to enable that court to determine whether the Act of August 13, 1946, gives rise to any claims which petitioner may assert to affect the judgment heretofore entered in this case, as to which this Court means to intimate no opinion.

Per Mr. Chief Justice Vinson.

Arthur C. McLaren, Petitioner, vs. Walter C. Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

369

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Arthur C. McLaren, Petitioner, vs. Walter C. Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

369

On writ of certiorari to the Criminal Court of Cook County, State of Illinois.

IT APPEARING to the Court that the Attorney General of the State of Illinois has filed a memorandum suggesting the granting of the petition for certiorari and consenting to the reversal of the judgment of the Criminal Court of Cook County in this case,

ON CONSIDERATION WHEREOF, it is ordered by this Court that the petition for writ of certiorari herein be, and the same is hereby, granted; and that the judgment of the Criminal Court of Cook County be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Criminal Court of Cook County, State of Illinois, for appropriate proceedings in the light of the memorandum of the Attorney General of of the State of Illinois.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Chicago, Rock Island and Pacific Railway Company, et al., Petitioners,

454 vs.

John C. Traphagen, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Chicago, Rock Island and Pacific Railway Company, et al., Petitioners,

454 vs.

John C. Traphagen, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs on the authority of Vanston and Vanhorn Bondholders Protective Committees vs. Green, et al., and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court in the cases of Vanston and Vanhorn Bondholders Protective Committees vs. Green, et al., Nos. 42 to 45, decided December 9, 1946.

Per Mr. Chief Justice Vinson.

[illegible] Theatres, Inc., et al., Appellants, vs. [illegible] United States of America. Appeal from the District Court of the United States for the Western District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a final judgment.

Per Mr. Chief Justice Vinson.

[illegible]ine Chain Theatres, Inc., et al., Appellants, vs. The United States of America. Appeal from the District Court of the United States for the Western District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and on statement of jurisdiction, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal herein be, and the same is hereby, dismissed for failure to comply with Rule 12 of the Rules of this Court.

Per Mr. Chief Justice Vinson.

Teodoro Cantos, Also Known as Teodoro Natishi, Petitioner, vs. Lieutenant General Wilhelm D. Styer, Commanding General, United States Army Forces. On writ of certiorari to the Supreme Court of the Republic of the Philippines.

IT APPEARING to the Court that the Acting Solicitor General of the United States has filed a memorandum suggesting that this case is moot,

ON CONSIDERATION WHEREOF, it is ordered by this Court that the writ of certiorari in this case be, and the same is hereby, dismissed for the reason that the case is moot.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk, and will not be announced orally."

Mariano Yoshi,

Petitioner,

145 vs.

Lieutenant General Wilhelm D. Styer,
Commanding General, United States
Army Forces, Western Pacific.

The stay order entered herein on June 10, last, is vacated except insofar as it stays execution of the sentence of death.

Per Mr. Chief Justice Vinson.

Ex parte Joseph B. White,

Petitioner.

41, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Albert R. House,

Petitioner.

77, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Phillips,

Petitioner,

74, Misc. vs.

Joseph E. Ragen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Alvin Miller,

Petitioner.

75, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Oliver Gobin,

Petitioner.

76, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and The Chio Oil Company.

This case is assigned for argument on Monday, March 3, 1947, on the exceptions and objections to the report of the Special Master.

Per Mr. Chief Justice Vinson.

Jack Parker, Isidor M. Saks,
Melvin Caplan, et al.,

Petitioners,

80 vs.

Paul A. Porter, Price Administrator.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Alfred Testa and Paul A. Porter,
Administrator, Office of Price
Administration,

Petitioners,

431 vs.

Harry Katt.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as a party petitioner in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Thomas A. Murray,

Petitioner,

483 vs.

Paul A. Porter, Administrator, Office
of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

James G. Raley and Thomas E. Raley,
Trading as Raley's Food Store,

Petitioners,

512 vs.

Paul A. Porter, Administrator of the
Office of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

515 West 97th Street Realty Co.,
Inc., et al.,

Petitioners,

526 vs.

Paul A. Porter, Price Administrator.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Paul A. Porter, Administrator, Office
of Price Administration,

Petitioner,

583 vs.

Mohawk Wrecking and Lumber Company,
a Partnership, and Harry Smith.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party petitioner in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Paul A. Porter, Administrator,
Office of Price Administration,

Appellant,

682 vs.

Dusty Rhodes, Sheriff, Tarrant County,
Texas, et al.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party appellant in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Anna M. Victor and Edward M. Green,
as Trustees Under the Will of Royall
Victor, Deceased,

Petitioners,

694 vs.

Paul A. Porter, Price Administrator.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

711 vs.

United States Gypsum Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

713 vs.

Michael Walsh, an Individual Trading as Help Laboratories.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Ex parte The Denver and Rio Grande Western Railroad Company Committees and Trustees,

Petitioners.

No. [illegible].

ON CONSIDERATION of the motion for leave to file a petition for writs of mandamus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Insurance Group Committee, Reorganization Committee, Guaranty Trust Company of New York, Trustee, et al.,

Petitioners,

690 vs.

The Denver and Rio Grande Western Railroad Company, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted. The case is

assigned for argument on Monday, January 6, 1947.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Carter H. Harrison, Individually and as Collector of Internal Revenue, — Order allowing certiorari.

Petitioner,

673 vs.

Greyvan Lines, Inc.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately following No. 312.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

United Mine Workers of America, an Unincorporated Association, — Order allowing certiorari.

Petitioner,

781 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is consolidated with Nos. 759 and 760.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioner,

582 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is consolidated with Nos. 759 and 760.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

674 vs.

Sidney S. Hunter.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

675 vs.

Carl Hunter.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Champion Spark Plug Company, Order allowing certiorari.

Petitioner,

680 vs.

Peter Sanders, et al., Doing Business as the Perfect Recondition Spark Plug Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

[illegible] Mr. Chief Justice Vinson.

Marvin Gayes,

Petitioner,

405 vs.

The State of New York.

ON CONSIDERATION of the motion for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

[illegible] Mr. Chief Justice Vinson.

Marvin Gayes, Order allowing certiorari.

Petitioner,

405 vs.

The State of New York.

The petition herein for a writ of certiorari to the County Court of Monroe County, State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

[illegible] Mr. Chief Justice Vinson.

...,

Petitioner,

...5 vs.

The State of New York.

It is ordered that Herbert Wechsler, Esquire, of New York City, a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

... Browne, D. W. Negley, M. J. Dobson, et al., Petitioners,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

355 vs.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Wells, Petitioner,

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

433 vs.

Commonwealth of Kentucky.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Union Trucking Company,
Petitioner,
vs.
Winnie E. White, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

640

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Soewapadji and 218 Alien Indonesian Seamen Similarly Situated,
Petitioners,
vs.
I. F. Wixon, as Custodian of Petitioners in the United States.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

672

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The General Industries Company,
Petitioner,
vs.
20 Wacker Drive Building Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

676

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Market Street Railway Company,

Petitioner,

479 vs.

Railroad Commission of the State of California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Freeman J. Thomson, Administrator of the Estate of Arthur W. Thomson, Deceased,

Petitioner,

669 vs.

Caroline Thomson.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of the Disbarment of H. Eugene Gardner.

No. ---

It having been reported to the Court that H. Eugene Gardner, of Glenside, Commonwealth of Pennsylvania, has been disbarred from the practice of the law by the Supreme Court of the Commonwealth of Pennsylvania; and this Court by order of May 6, 1946, having suspended the said H. Eugene Gardner from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

It is ordered that the said H. Eugene Gardner be, and he is hereby, disbarred, and that his name be stricken from the roll of attorneys admitted to practice in this Court.

Per Mr. Chief Justice Vinson.

H. Eugene Gardner,
Petitioner,
124 vs.
Montgomery Bar Association.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter G. Hill,
Petitioner,
695 vs.
Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Henderson,

Petitioner,

723 vs.

[illegible] H. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bruno Austin, Alex Shapiro, Morris Jacobs and David Sinnenberg,

Petitioners,

727 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ivan Grover Hydo,

Petitioner,

728 vs.

Ben B. Stewart, Acting Warden, Missouri State Penitentiary, Jefferson City, Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Davis, Petitioner,

736 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Congdon, Petitioner,

737 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Miner, Petitioner,

738 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Bernard M. Shotkin,

Petitioner.

52, Misc.

A petition for rehearing having been filed in this case, [illegible] thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Heber Kimball Cleveland,

Petitioner,

12 vs.

The United States of America;

Heber Kimball Cleveland,

Petitioner,

13 vs.

The United States of America;

Heber Kimball Cleveland,

Petitioner,

14 vs.

The United States of America;

David Brigham Darger,

Petitioner,

15 vs.

The United States of America;

Vergel Y. Jessop,

Petitioner,

16 vs.

The United States of America;

Theral Ray Dockstader,

Petitioner,

17 vs.

The United States of America;

L. R. Stubbs,

Petitioner,

18 vs.

The United States of America; and

Follis Gardner Petty,

Petitioner,

19 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Champlin Refining Company,

Appellant,

21 vs.

The United States of America and
Interstate Commerce Commission.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Dabney Smith,

Petitioner,

534 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the

...said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

...Anderson,
..., Inc.,

Petitioners,

vs.

...

...petition for rehearing having been filed in this case,

...CONSIDERATION thereof, it is ordered by this Court that the ...petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

...,

Petitioner,

vs.

...

...petition for rehearing having been filed in this case,

...CONSIDERATION thereof, it is ordered by this Court that the ...petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

...Company,

Petitioner,

vs.

...Revenue; and

...,

Petitioner,

vs.

...Revenue.

A petition for rehearing having been filed in these cases,

MONDAY, DECEMBER 17, 1945 - CONTINUED.

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Illinois Packing Company, a Corporation,

Petitioner,

476 vs.

Charles B. Henderson, Individually and as Acting Administrator of the Office of Federal Loan Administrator, etc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

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The Court will take a recess from Monday, December 17, until Monday, January 7, 1946.

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Securities and Exchange Commission,

Petitioner,

81 vs.

Chenery Corporation, et al.; and

Securities and Exchange Commission,

Petitioner,

82 vs.

Federal Water and Gas Corporation.

Argument continued by Mr. Spencer Gordon for the respondent in No. 81, by Mr. Allen S. Hubbard for the respondent in No. 82, and concluded by Mr. Roger S. Foster for the petitioner.

Independent Warehouses, Inc.,
Pennsylvania Coal Company, et al.,

Appellants,

vs.

William Scheele, Recorder of the [illegible]ip of Saddle River and the [illegible]s of Saddle River.

Argued by Mr. Duane E. Minard for the appellants and by Mr. Harry Lane and Mr. Ralph W. Chandless for the appellees.

Helene A. Jesionowski, Administratrix,

Petitioner,

vs.

Boston & Maine Railroad.

Argued by Mr. Thomas C. O'Brien for the petitioner and by Mr. Francis P. Garland for the respondent.

Bethlehem Steel Company, et al.,

Appellants,

vs.

New York State Labor Relations Board; and

The Allegheny Ludlum Steel Corporation,

Appellant,

vs.

William J. Kelley and H. Myron Lewis, Constituting the State Labor Relations Board of the State of New York.

Argument commenced by Mr. Bruce Bromley for the appellants in No. 55.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Fadjo Cravens, It is ordered that C. Floyd Huff, Jr., Esquire, of Hot Springs, State of Arkansas, and Q. Byrum Hurst, Esquire, of Hot Springs, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles B. Heinemann, Jr., It is ordered that John J. Faust, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that Katherine Hardwick Johnson, of Chicago, State of Illinois; Harry Arthur Greenberg, Esquire, of Philadelphia, Commonwealth of Pennsylvania; and Maurice A. Granatoor, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. A. O. Stanley, It is ordered that Cecil C. Wilson, Esquire, of Glasgow, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cecil Morgan, It is ordered that Elton M. Myder, Jr., Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bruce Ditmas Bromley, It is ordered that Stuart Northall Updike, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allen R. Cozier, It is ordered that Albert Dudley McCollum, Esquire, of Milan, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Ristine, It is ordered that Robert Richard Jorgenson, Esquire, of Glen Ellyn, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Yerka, It is ordered that Frank William Cerny, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter T. Beardsley, It is ordered that M. Lauren Lewis, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis L. Tetelman, It is ordered that Sylvia U. Siegel, of Mount Vernon, State of New York; Sidney Roffman, Esquire, of New York, State of New York; and Harry Carroll, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Mrs.)

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Bethlehem Steel Company, et al.,

Appellants,

55 vs.

New York State Labor Relations Board; and

The Allegheny Ludlum Steel Corporation,

Appellant,

76 vs.

William J. Kelley and H. Myron Lewis,
Constituting the State Labor Relations
Board of the State of New York.

Argument continued by Mr. Bruce Bromley for the appellants in No. 55; by Mr. John G. Buchanan for the appellant in No. 76; by Mr. Robert L. Stern for the United States, as amicus curiae, by special leave of Court; by Mr. William E. Grady for the appellees; and concluded by Mr. John G. Buchanan for the appellant in No. 76.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Herbert Elliott Ost, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest Goodman, It is ordered that Philip J. Schneider, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Zolla B. Wyde, It is ordered that Max L. Feinberg, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thaddeus Greene Benton, It is ordered that Jules J. Lubasch, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Morris H. Senderowitz, et al.,
Individually and as Co-partners,
Trading as Royal Manufacturing
Company,

Petitioners,

677 vs.

Paul A. Porter, Administrator of the
Office of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Morris H. Senderowitz, et al.,
Individually and as Co-partners,
Trading as Royal Manufacturing
Company,

Petitioners,

678 vs.

Paul A. Porter, Administrator of the
Office of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in the place and stead of Paul A. Porter, Administrator, Office of Price Administration, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Jack Parker, Isidor M. Saks, Melvin
Caplan, et al.,

Petitioners,

80 vs.

Philip B. Fleming, Temporary Controls
Administrator.

Argued by Mr. Alexander Pfeiffer for the petitioners and by Mr. Carl A. Auerbach for the respondent.

Leo H. Steele,

Petitioner,

79 vs.

General Mills, Inc.

Argued by Mr. Cecil A. Morgan for the petitioner; by Mr. Elton M. Nyder, Jr., for the State of Texas, as amicus curiae by special leave of Court; and by Mr. Alfred McKnight for the respondent.

Gulf Oil Corporation,

Petitioner,

93 vs.

Cornelius Gilbert, Doing Business Under the Firm Name and Style of Gilbert Storage & Transfer Company.

Argument commenced by Mr. Archie D. Gray for the petitioner, and continued by Mr. Max J. Gwertzman for the respondent and by Mr. Bernard A. Golding for the petitioner.

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Proclamation being made the Court [illegible]

THURSDAY, DECEMBER 19, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Louis Monarch, It is ordered that Edward L. Coffey, Esquire, of New York, State of New York, and Irving Sweet, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin C. Van Tine, It is ordered that Milton B. Conford, Esquire, of Newark, State of New Jersey, and Joseph C. Glavin, Esquire, of Jersey City, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James O'Donnell Moran, It is ordered that Charles Jonathan Whiting, Esquire, of Winthrop, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward C. Johnson, It is ordered that Jasper S. Costa, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur P. Drury, It is ordered that Malcolm C. Sherman, Esquire, of Scituate, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Jennings Price, It is ordered that Henry G. Sandifer, Esquire, of Danville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Wideman, It is ordered that E. Hood Wilkerson, Esquire, of Eustis, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Gulf Oil Corporation,

Petitioner,

93 vs.

Cornelius Gilbert, Doing Business Under the Firm Name and Style of Gilbert Storage & Transfer Company.

Argument concluded by Mr. Bernard A. Golding for the petitioner.

Eugene Koster,

Petitioner,

206 vs.

(American) Lumbermens Mutual Casualty Company.

Argued by Mr. Julius Levy for the petitioner and by Mr. Stuart N. Updike for the respondent.

The Trailmobile Company and International Union, United Automobile, Aircraft, and Agricultural Workers of America, U. A. W.-C. I. O. Local No. 392,

Petitioners,

85 vs.

Lawrence Whirls.

Argued by Mr. Philip J. Schneider for the petitioner, The Trailmobile Company; by Mr. Sol Goodman and Mr. Ernest Goodman for International Union, U. A. W.-C.I.O., etc.; and by Mr. Frederick Bernays Wiener for the respondent.

A. M. Anderson, Receiver of National Bank of Kentucky, Louisville, Kentucky,

Petitioner,

87 vs.

Irvin Yungkau, Executor of the Estate of Albert Yungkau, Deceased, et al.

Argument commenced by Mr. Robert S. Marx for the petitioner.

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Joseph D. Medley,

Petitioner,

No. --- vs.

Curtis Reid, Superintendent of Washington Asylum and Jail.

ON CONSIDERATION of the motion for stay of execution of the death sentence in this case,

IT IS ORDERED by this Court that the said motion for stay of execution be, and the same is hereby, denied. Treating the papers herein as an application for a writ of certiorari, certiorari is denied.

Per Mr. Chief Justice Vinson.

William Copeland,

Petitioner,

No.--- vs.

Curtis Reid, Superintendent, Washington Asylum and Jail.

ON CONSIDERATION of the motion for stay of execution of the death sentence in this case,

IT IS ORDERED by this Court that the said motion for stay of execution be, and the same is hereby, denied. Treating the papers herein as an application for a writ of certiorari, certiorari is denied.

Per Mr. Chief Justice Vinson.

Ex parte Julius Fisher,

Petitioner.

No.---

ON CONSIDERATION of the application for a stay of execution of the death sentence herein,

IT IS ORDERED by this Court that the said application for stay be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph M. Proskauer, It is ordered that Eugene Eisenmann, Esquire, of New York, State of New York, and Albert L. Solodar, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James D. Carpenter, Jr., It is ordered that Samuel M. Coombs, Jr., Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Hughes, Jr., It is ordered that Morris J. Pollack, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carlton U. Edwards II, It is ordered that James Lamar Plemister, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Devitt Vanech, It is ordered that James F. Masterson, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Clifford Walck, It is ordered that Frank M. Harris, Esquire, of Saint Petersburg, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced that the Court would take a recess in order to consider an application for a stay of execution.

The Court reconvened.

Joseph D. Medley,

Petitioner,

No.--- vs.

The United States of America.

ON CONSIDERATION of the motion for a stay of execution of the death sentence in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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A. M. Anderson, Receiver of National Bank of Kentucky, Louisville, Kentucky,

Petitioner,

87 vs.

Irvin Yungkau, Executor of the Estate of Albert Yungkau, Deceased, et al.

Argument continued by Mr. LeWright Browning for the respondents and concluded by Mr. Robert S. Marx for the petitioner.

Walter P. Gardner, Trustee of the
Central Railroad Company of New Jersey,

Petitioner,

92 vs.

The State of New Jersey.

Argued by Mr. James D. Carpenter, Jr., for the petitioner and by Mr. Benjamin C. Van Tine for the respondent.

The United States,

Petitioner,

106 vs.

The Thayer-West Point Hotel Company.

Argued by Mr. Oscar H. Davis for the petitioner and by Mr. E. J. Ellenwood for the respondent.

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Proclamation being made the Court is adjourned until Monday, December 23, next, at 12 o'clock.

MONDAY, DECEMBER 23, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Peyton Ford, Esquire, of Oklahoma City, State of Oklahoma, and William Amory Underhill, Esquire, of De Land, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles M. Skiles, It is ordered that John A. Skiles, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert J. Jacobi, It is ordered that Louis Kravis, Esquire, of Atlantic City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence J. Bernard, It is ordered that Edward A. Foote, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oswald Ryan, It is ordered that Philip Schleit, Esquire, of Syracuse, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Winn, Jr., It is ordered that William B. Neeley, Esquire, of Glendale, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurman W. Arnold, It is ordered that Saul Ross, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that Maxey B. Harlin, Jr., Esquire, of Bowling Green, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Kadans, It is ordered that Carl Bassett, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Taze Hamrick Gibson,	On writ of certiorari to the United
Petitioner,	States Circuit Court of Appeals for
23 vs.	the Eighth Circuit.
The United States of America.	

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of South Dakota for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

George William Dodez,
Petitioner,
86 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Ohio for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

People of the State of Illinois, ex rel. Robert L. Gordon, Director of Labor,
Petitioner,
35 vs.
Nigel D. Campbell, Collector of Internal Revenue.

On writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Jackson joins.

The United States of America, Petitioner, vs. Paul Davis Sheridan. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

53

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Dissenting: The Chief Justice and Mr. Justice Douglas.

National Labor Relations Board, Petitioner, vs. A. J. Tower Company. — On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

60

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Frankfurter concurs in the result.

Dissenting opinion by Mr. Justice Jackson.

Major General W. W. Eagles, Post Commanding Officer, Fort Dix, New Jersey,

Petitioner,

59 vs.

United States, ex rel. Jacob S. Samuels.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Major General W. W. Eagles, Post Commanding Officer, Fort Dix, New Jersey,

Petitioner,

58 vs.

United States, ex rel. Harry Horowitz.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

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The Chief Justice said:

"For seventy-five years the opinions of this Court have been printed by Pearson's Printing Office. Mr. Clarence E. Bright entered that establishment in his youth nearly fifty-six years ago. Later he acquired ownership of the business which he continuously has managed for over forty years in a manner of helpfulness far beyond contractual obligation.

"For more than a half-century Mr. Bright has served the Court with complete fidelity, bringing to his important and confidential work the advantages of unique skill and ability. At times the demands, both in volume of the work and for speed in dispatching it, exceeded what might be expected or required of a much larger establishment. But under the greatest pressures his resources invariably were equal to what was asked. He met these pressures not only with extraordinary efficiency but always with patience and courtesy. What is equally remarkable, not once in his long service was there suggestion that by carelessness or otherwise the large confidence imposed in him had not been strictly observed. His name belongs in the roll of those who have given themselves through long years to the service of the Court with absolute devotion to its interests.

"The Court desires to record its appreciation of Mr. Bright's efficiency and loyalty and to acknowledge the effective contribution of his aid in its work. We trust that in his retirement from active service he will find renewed vigor of health and the abiding satisfaction which comes from the consciousness of arduous duties performed to the complete satisfaction of those he served so well.

"The Clerk is directed to record these remarks and to transmit a copy thereof to Mr. Bright."

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In the Matter of St. Louis-San Francisco Railway Company,

Debtor.

No.---

ON CONSIDERATION of the application of counsel for the St. Louis-San Francisco Railway Company for a stay of consummation of the plan of reorganization by the District Court of the United States for the Eastern District of Missouri in the above entitled cause,

IT IS ORDERED by this Court that the said application for stay be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion of Robert E. Lee Jordan for leave to intervene as a party complainant in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

Ex parte George S. Miller,

Petitioner.

80, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Arthur C. Hicks,

Petitioner.

78, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Lester Pressley,

Petitioner.

81, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

176 vs.

Judges, Superior Court, Atlanta Circuit.

ON CONSIDERATION of the motion for an oral argument in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Central Greyhound Lines, Inc. of New York,

Appellant,

745 vs.

Carroll E. Mealey, et al., Constituting the State Tax Commission of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the

jurisdiction of this Court is postponed to the hearing of the case on the merits. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

National Labor Relations Board, Petitioner, vs. Jones & Laughlin Steel Corporation. — Order allowing certiorari.

418

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Labor Relations Board, Petitioner, vs. E. C. Atkins and Company. — Order allowing certiorari.

419

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

United Mine Workers of America, an Unincorporated Association, and John L. Lewis, Individually and as President of the United Mine Workers of America, Petitioners, vs. The United States of America. — Order allowing certiorari.

811

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is consolidated with Nos. 759, 760, 781, and 782.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

J. D. Johnson, Petitioner,

252 vs.

Bruce Graham, Trustee of Greene County, Tennessee, Greene County, Tennessee, et al.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Berman, Petitioner,

538 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter McDonald, Petitioner,

637 vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The First National Bank of Chicago, Trustee Under the Last Will and Testament of Otto Young, Deceased, etc., et al.,

Petitioners,

696 vs.

Margaret deKorwin, Individually and as Executrix of the Will of Joseph Maria deKorwin, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Port Howard Paper Company, Dennison Manufacturing Company, et al.,

Petitioners,

697 vs.

Federal Trade Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Tressler,

Petitioner,

705 vs.

Ada A. Tressler, et al.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clark & Clark, Charles L. Morris and Robert Brinton Morris, Trading as Professional Laboratories,

Petitioners,

708 vs.

Smith, Kline & French Laboratories.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. Dulany Mitchell,

Petitioner,

597 vs.

Hon. Colin Neblett, Judge, United States District Court for the District of New Mexico.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Steele,

Petitioner,

693 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Westchester County.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small,
Petitioner,
706 vs.
Walter B. Martin, Warden, Attica State Prison, Attica, New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Kings County.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Canizio,
Petitioner,
726 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Miner,
Petitioner,
749 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Witt,
Petitioner,
750 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Binkowski,
Petitioner,
751 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Sheets,
Petitioner,
752 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard C. Kretchmer, Petitioner,

753 vs.

State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Riley Simmons, Petitioner,

756 vs.

Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Williamson County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry D. Gordon, Petitioner,

762 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Cage and Edward Smith,
Petitioners,
769 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Robinson,
Petitioner,
772 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman Piskorz,
Petitioner,
773 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Joseph Heskett,

Petitioner,

774 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Courts of Winnebago and Will Counties, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vivid J. Deadwyler,

Petitioner,

775 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Poppe,

Petitioner,

776 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Birmeli Dingman,

Petitioner,

342 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of New York, ex rel. Paul Lutz,

Petitioner,

502 vs.

Walter B. Martin, M. D., as Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The General Industries Company,

Petitioner,

676 vs.

20 Wacker Drive Building Corporation, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, January 6, next

MONDAY, JANUARY 6, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that George Joseph Moran, Esquire, of Waterbury, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Randolph Neal, It is ordered that D. M. Raulston, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald Hiss, It is ordered that Ernest Homer Miller, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Joseph Donohue, It is ordered that Joseph M. Hicker, Esquire, of Milwaukee, State of Wisconsin, and Marvey M. Sverdlin, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Board of Governors of the Federal Reserve System, et al.,

Petitioners,

66 vs.

John Agnew, F. O. Fayerweather.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Rutledge in which Mr. Justice Frankfurter joins.

Edward Katzinger Company,

Petitioner,

70 vs.

Chicago Metallic Mfg. Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton concur.

Edward Katzinger Company, Petitioner, vs. Chicago Metallic Mfg. Company.

71

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton concur.

Alpine MacGregor, Petitioner, vs. Westinghouse Electric & Manufacturing Company.

28

On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton concur.

International Harvester Company,
Appellant,
vs.
Tax Commissioner of Ohio.

Appeal from the Supreme Court of the State of Ohio.

75

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Rutledge.

The United States of America and Interstate Commerce Commission,
Appellants,
vs.
Seatrain Lines, Inc.

Appeal from the District Court of the United States for the District of Delaware.

61

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Delaware, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Black.

Mr. Justice Rutledge concurs in the result.

Leo H. Steele,
Petitioner,
vs.
General Mills, Inc.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

79

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs and that the judgment of the District Court for the Northern District of Texas be, and the same is hereby, affirmed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Texas.

Per Mr. Justice Black.

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The Chief Justice announced the following orders of the Court:

Mariano Uyeki,

Petitioner,

145 vs.

Lieutenant General Wilhelm D. Styer, Commanding General, U. S. Army Forces, Western Pacific.

On writ of certiorari to the Supreme Court of the Republic of the Philippines.

It appearing to the Court that the Acting Solicitor General of the United States has filed a memorandum suggesting that this case is moot,

Therefore, it is ordered by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed for the reason that the cause is moot.

Per Mr. Chief Justice Vinson.

The Chronicle & Gazette Publishing Co., Inc.,

Appellant,

780 vs.

The Attorney General of the State of New Hampshire, et al.

Appeal from the Supreme Court of the State of New Hampshire.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Hampshire, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby,

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that probable jurisdiction should be noted.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Ward M. Blanton,

Petitioner.

82, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Vergil D. McMillan,

Petitioner.

84, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Fred Wallace Bantz,

Petitioner.

86, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Dexter G. Dayton,

Petitioner.

85, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Dorsey McMahan,

Petitioner.

83, Misc.

ON CONSIDERATION of the motion for an injunction herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Sam Buford,

Petitioner.

87, Misc.

ON CONSIDERATION of the application submitted herein by Sam Buford,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte E. B. Schaffer,

Petitioner.

89, Misc.

ON CONSIDERATION of the application submitted herein by E. B. Schaffer,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Watkins,

Petitioner.

88, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Conway C. Craig, Bob McCracken, and Tom Mulvany,

Petitioners,

241 vs.

John B. Harney, Sheriff of Nueces County, Texas.

ON CONSIDERATION of the motion for leave to file brief of the American Newspaper Publishers Association as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator,

Petitioner,

583 vs.

Mohawk Wrecking and Lumber Company, a Partnership, and Harry Smith.

Further consideration of the motion to vacate the order of December 16 substituting Fleming for Porter is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

James E. Markham, Alien Property Custodian,

Petitioner,

626 vs.

Alvina Allen, Gertrude Dinwiddie, et al.

ON CONSIDERATION of the motion and suggestion of the Acting Solicitor General that the Attorney General has succeeded to the authority, rights, privileges, powers, duties and functions of the Alien Property Custodian and that Tom C. Clark, Attorney General, as successor to the Alien Property Custodian, be substituted as the party petitioner in this case,

IT IS ORDERED by this Court that the said motion to substitute be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Packard Motor Car Company,

Petitioner,

658 vs.

National Labor Relations Board.

ON CONSIDERATION of the motion of Paul R. Conaghan for leave to appear and present oral argument on behalf of Carnegie-Illinois Steel Corporation and others as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Bartels, et al. and Justin Conlon, d.b.a. Crystal Ballroom,

Petitioners,

731 vs.

E. H. Birmingham, Individually and as Collector of Internal Revenue for the State of Iowa, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Larry V. Geer and Margaret Geer, d.b.a. Larry Geer Ballrooms,

Petitioners,

732 vs.

E. H. Birmingham, Individually and as Collector of Internal Revenue for the State of Iowa.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Sid W. Richardson, et al.,

Petitioners,

288 vs.

Keith Kelly, Receiver.

On petition for writ of certiorari to the Supreme Court of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Amos Cotney,
Petitioner,
525 vs.
The State of Alabama.

On petition for writ of certiorari to the Court of Appeals of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Borg-Warner Corporation and David E. Gamble,
Petitioners,
700 vs.
George I. Goodwin and John F. Daukus.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marion F. Johnson,
Petitioner,
702 vs.
The State of Florida.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Schwarz, Jeremiah Lott, Joseph K. Brown, et al.,

Petitioners,

710 vs.

Township Committee of Maplewood, New Jersey, et al.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Cassman, as Receiver of St. Charles Hotel Company, etc.,

Petitioner,

712 vs.

Abraham Kurzrock, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Spokane Portland Cement Company, et al., Executors of the Estate of W. H. Bennett, Deceased,

Petitioners,

719 vs.

Chester W. Swanson, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond N. Sabourin,
Petitioner,
721 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. W. Reigel,
Petitioner,
730 vs.
George M. Harrison, Individually and as Grand President of the Grand Lodge of the Brotherhood of Railway and Steamship Clerks, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baker Castor Oil Company,
Petitioner,
734 vs.
Insurance Company of North America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Foxboro Company,
Petitioner,
740 vs.
Taylor Instrument Companies.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

315 West 97th Street Realty Co., Inc., et al.,
Petitioners,
526 vs.
Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Northwestern Mutual Life Insurance Company,
Petitioner,
653 vs.
T. E. Suttles, as Tax Collector of Fulton County, Georgia, et al.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anna M. Victor and Edward H. Green, as Trustees Under the Will of Royall Victor, Deceased,

Petitioners,

694 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. W. Swent and Ursula L. Swent (Husband and Wife),

Petitioners,

699 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mildred McDonald, Now Mildred Muck,

Petitioner,

722 vs.

Bernard G. Shepherd.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James W. Beach, Executor Under the Will of Harry L. Beach, Deceased,

Petitioner,

729 vs.

Harry F. Busey, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Interstate Natural Gas Company, Incorporated,

Petitioner,

733 vs.

Federal Power Commission, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil L. Wright,

Petitioner,

596 vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil L. Wright,

Petitioner,

44, Misc. vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Lincoln National Bank of Washington, et al., Executors of the Estate of Michael E. Buckley,

Petitioners,

743 vs.

Karl Kindleberger, Administrator of the Estate of Julia C. Buckley.

ON CONSIDERATION of the motion for leave to file brief of Life Insurance Association of America and National Association of Life Underwriters as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The Lincoln National Bank of Washington, et al., Executors of the Estate of Michael E. Buckley,

Petitioners,

743 vs.

Karl Kindleberger, Administrator of the Estate of Julia C. Buckley.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Ross,

Petitioner,

159 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Livingston Taylor,

Petitioner,

180 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Raymond,

Petitioner,

258 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Barton Butz,

Petitioner,

277 vs.

Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Singer,

Petitioner,

415 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Bennett,

Petitioner,

447 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary.

On petition for writ of certiorari to the Criminal Court of Cook County and the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

August Faucetta, Petitioner,
611 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Nassau County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John R. Johnson, Petitioner,
704 vs.
Nathan Mayo, as State Prison Custodian.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewey Wallace McMurtrey, Petitioner,
707 vs.
Honorable Tom C. Clark.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Brown,

Petitioner,

720 vs.

Gerald F. Bush, Warden, House of Correction and Branch Prison, Marquette, Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Davis,

Petitioner,

757 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Scarpinato,

Petitioner,

783 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sylvester Lewis,
Petitioner,
784 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Evans,
Petitioner,
785 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walker Kimler,
Petitioner,
795 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Holland,

Petitioner,

796 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Renzo Taylor,

Petitioner,

797 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Reed,

Petitioner,

798 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Brill,

Petitioner,

799 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Nichols Clarke,

Petitioner,

397 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari be, and the same is hereby, dismissed. The motion for leave to proceed in forma pauperis is granted.

Per Mr. Chief Justice Vinson.

Ex parte Robert Nichols Clarke,

Petitioner.

50, Misc.

ON CONSIDERATION of the motion of petitioner for leave to withdraw the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion for leave to withdraw be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Louise Peete,

Petitioner,

657 vs.

The People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Steele,

Petitioner,

693 vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Stuart Fowler,

Petitioner,

334 vs.

Howard B. Gill, General Superintendent,
D. C. Penal Institutions.

ON CONSIDERATION of the application for a rule to show cause and motion to substitute Donald Clammer for Howard B. Gill as the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Stuart Fowler,

Petitioner,

334 vs.

Howard B. Gill, General Superintendent,
D. C. Penal Institutions.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cities Service Gas Company,

Petitioner,

556 vs.

Federal Power Commission, et al.

ON CONSIDERATION of the motions of American Petroleum Institute, Independent Petroleum Association of America, Independent Natural Gas Association of America, and Mid-Continent Oil & Gas Association for leave to file briefs as amici curiae in this case,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

Cities Service Gas Company,

Petitioner,

556 vs.

Federal Power Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The following order was adopted by the Supreme Court on December 27, 1946:

ORDER

Ordered:

1. That subdivisions (a) and (b) of Rule 80 of the Rules of Civil Procedure, be, and they hereby are, abrogated.

2. That Rules 6, 7, 12, 13, 14, 17, 24, 26, 27, 28, 33, 34, 36, 41, 45, 52, 54, 56, 58, 59, 60, 62, 65, 66, 68, 73, 75, 77, 79, 81, 84, and 86 of the Rules of Civil Procedure and Forms Nos. 17, 20, 22, and 25, be, and they hereby are, amended as hereinafter set forth.

3. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session in January, 1947.

Mr. Justice Frankfurter joins in approval of the proposed amendments essentially because of his confidence in the informed judgment of the Advisory Committee on Rules of Civil Procedure.

Per Mr. Chief Justice Vinson.

The following order was adopted by the Supreme Court on December 27, 1946:

ORDER

Ordered:

1. That subdivisions (a) and (b) of Rule 80 of the Rules of Civil Procedure, be, and they hereby are, abrogated.

2. That Rules 6, 7, 12, 13, 14, 17, 24, 41, 45, 52, 54, 56, 58, 59, 60, 62, 65, 66, 68, 71, 86 of the Rules of Civil Procedure and Forms Nos. and they hereby are, amended as hereinafter set fo

3. That the Chief Justice be authorized ments to the Attorney General with the request tha Congress at the beginning of the regular session i

Mr. Justice Frankfurter joins in approva ments essentially because of his confidence in the Advisory Committee on Rules of Civil Procedure.

Per Mr. C

AMENDMENTS

TO

RULES OF CIVIL PROCEDURE FOR THE DISTRICT COURTS OF THE UNITED STATES

Adopted by the

SUPREME COURT OF THE UNITED STATES

December 27, 1946

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1947

The following order was adopted by the Supreme Court on December 27, 1946:

ORDER

Ordered:

1. That subdivisions (a) and (b) of Rule 80 of the Rules of Civil Procedure, be, and they hereby are, abrogated.

2. That Rules 6, 7, 12, 13, 14, 17, 2
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Mr. Justice Frankfurter joins in approva
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Advisory Committee on Rules of Civil Procedure.

Per Mr. C

LETTER OF TRANSMITTAL

SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D. C., January 2, 1947.

MY DEAR MR. ATTORNEY GENERAL:

By direction of the Supreme Court, I transmit to you herewith amendments of the Rules of Civil Procedure for the District Courts of the United States, which have been adopted by the Supreme Court pursuant to the Act of June 19, 1934, chapter 651 (48 Stat. 1064), with the request that these amendments be reported by you to the Congress at the beginning of the regular session on January 3, 1947.

I am requested to state that Mr. Justice Frankfurter joins in approval of the proposed amendments essentially because of his confidence in the informed judgment of the Advisory Committee on Rules of Civil Procedure.

I have the honor to remain,

Respectfully yours,

(Signed) FRED M. VINSON,
Chief Justice of the United States.

Honorable TOM C. CLARK,
Attorney General,
Washington, D. C.

The following order was adopted by the Supreme Court on December 27, 1946:

ORDER

Ordered:

1. That subdivisions (a) and (b) of Rule 80 of the Rules of Civil Procedure, be, and they hereby are, abrogated.

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Per Mr. C

AMENDMENTS TO RULES OF CIVIL PROCEDURE FOR THE DISTRICT COURTS OF THE UNITED STATES

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1. That subdivisions (a) and (b) of Rule 80 of the Rules of Civil Procedure, be, and they hereby are, abrogated.

2. That Rules 6, 7, 12, 13, 14, 17, 2
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and they hereby are, amended as hereinafter set

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ments to the Attorney General with the request th
Congress at the beginning of the regular session

Mr. Justice Frankfurter joins in approv
ments essentially because of his confidence in th
Advisory Committee on Rules of Civil Procedure.

Per Mr. C

In the Supreme Court of the United States

OCTOBER TERM, 1946

The following order was adopted by the Supreme Court on December 27, 1946.

ORDER

Ordered:

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2. That Rules 6, 7, 12, 13, 14, 17, 24, 26, 27, 28, 33, 34, 36, 41, 45, 52, 54, 56, 58, 59, 60, 62, 65, 66, 68, 73, 75, 77, 79, 81, 84, and 86 of the Rules of Civil Procedure and Forms Nos. 17, 20, 22, and 25, be, and they hereby are, amended as hereinafter set forth.

3. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session in January, 1947.

Mr. Justice Frankfurter joins in approval of the proposed amendments essentially because of his confidence in the informed judgment of the Advisory Committee on Rules of Civil Procedure.

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Per Mr.

Rule 6. Time.

(b) ENLARGEMENT. When by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order or (2) upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect; but it may not extend the time for taking any action under rules 25, 50 (b), 52 (b), 59 (b), (d) and (e), 60 (b), and 73 (a) and (g), except to the extent and under the conditions stated in them.

(c) UNAFFECTED BY EXPIRATION OF TERM. The period of time provided for the doing of any act or the taking of any proceeding is not affected or limited by the continued existence or expiration of a term of court. The continued existence or expiration of a term of court in no way affects the power of a court to do any act or take any proceeding in any civil action which has been pending before it.

Rule 7. Pleadings Allowed; Form of Motions.

(a) PLEADINGS. There shall be a complaint and an answer; and there shall be a reply to a counterclaim denominated as such; an answer to a cross-claim, if the answer contains a cross-claim; a

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Per Mr.

2 RULES OF CIVIL PROC

third-party complaint, if leave
Rule 14 to summon a person
original party; and there shall
answer, if a third-party compla
other pleading shall be allowed
court may order a reply to an
party answer.

**Rule 12. Defenses and Objec
How Presented—by Pleading o
for Judgment on Pleadings.**

(a) WHEN PRESENTED. A de
his answer within 20 days after
summons and complaint upon hi
directs otherwise when service
pursuant to Rule 4 (e). A pa
pleading stating a cross-claim
serve an answer thereto within
service upon him. The plaint
reply to a counterclaim in the
days after service of the answ
ordered by the court, within 20
of the order, unless the order
The United States or an officer
shall serve an answer to the
cross-claim, or a reply to a co
60 days after the service upon
attorney of the pleading in w
asserted. The service of a
under this rule alters these
follows, unless a different tim
of the court: (1) if the court
or postpones its disposition u
merits, the responsive pleadi
within 10 days after notice of

(2) if the court grants a motion for a more definite statement the responsive pleading shall be served within 10 days after the service of the more definite statement.

(b) How Presented. Every defense, in law or fact, to a claim for relief in any pleading, whether a claim, counterclaim, cross-claim, or third-party claim, shall be asserted in the responsive pleading thereto if one is required, except that the following defenses may at the option of the pleader be made by motion: (1) lack of jurisdiction over the subject matter, (2) lack of jurisdiction over the person, (3) improper venue, (4) insufficiency of process, (5) insufficiency of service of process, (6) failure to state a claim upon which relief can be granted, (7) failure to join an indispensable party. A motion making any of these defenses shall be made before pleading if a further pleading is permitted. No defense or objection is waived by being joined with one or more other defenses or objections in a responsive pleading or motion. If a pleading sets forth a claim for relief to which the adverse party is not required to serve a responsive pleading, he may assert at the trial any defense in law or fact to that claim for relief. If, on a motion asserting the defense numbered (6) to dismiss for failure of the pleading to state a claim upon which relief can be granted, matters outside the pleading are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable

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opportunity to present all mat nent to such a motion by Rule 5

(c) MOTION FOR JUDGMENT O After the pleadings are closed time as not to delay the trial move for judgment on the ple motion for judgment on the outside the pleadings are pres excluded by the court, the moti as one for summary judgment provided in Rule 56, and all pa reasonable opportunity to pr made pertinent to such a moti

(d) PRELIMINARY HEARINGS specifically enumerated (1)— (b) of this rule, whether mad by motion, and the motion f tioned in subdivision (c) of heard and determined before t of any party, unless the cou hearing and determination th until the trial.

(e) MOTION FOR MORE DE If a pleading to which a res permitted is so vague or ambi cannot reasonably be required sive pleading, he may move f statement before interposing h ing. The motion shall point o plained of and the details desi is granted and the order o obeyed within 10 days after or within such other time as the court may strike the ple

motion was directed or make such order as it deems just.

(f) MOTION TO STRIKE. Upon motion made by a party before responding to a pleading or, if no responsive pleading is permitted by these rules, upon motion made by a party within 20 days after the service of the pleading upon him or upon the court's own initiative at any time, the court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.

(g) CONSOLIDATION OF DEFENSES. A party who makes a motion under this rule may join with it the other motions herein provided for and then available to him. If a party makes a motion under this rule and does not include therein all defenses and objections then available to him which this rule permits to be raised by motion, he shall not thereafter make a motion based on any of the defenses or objections so omitted, except as provided in subdivision (h) of this rule.

(h) WAIVER OF DEFENSES. A party waives all defenses and objections which he does not present either by motion as hereinbefore provided or, if he has made no motion, in his answer or reply, except (1) that the defense of failure to state a claim upon which relief can be granted, the defense of failure to join an indispensable party, and the objection of failure to state a legal defense to a claim may also be made by a later pleading, if one is permitted, or by motion for judgment on the pleadings or at the trial on the merits, and except (2) that, whenever it appears by suggestion of the parties or otherwise that

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the court lacks jurisdiction of th the court shall dismiss the action or defense, if made at the trial, of as provided in Rule 15 (b) in evidence that may have been rece

Rule 13. Counterclaim and C

(a) COMPULSORY COUNTERCLA shall state as a counterclaim an the time of serving the pleading against any opposing party, if it transaction or occurrence tha matter of the opposing party's c require for its adjudication the parties of whom the court canno tion, except that such a claim ne if at the time the action was com was the subject of another pend

(g) CROSS-CLAIM AGAINST CO ing may state as a cross-claim party against a co-party arising action or occurrence that is t either of the original action or therein or relating to any pr subject matter of the original a claim may include a claim that whom it is asserted is or may be claimant for all or part of a cl action against the cross-claima

(i) SEPARATE TRIALS; SEPAR the court orders separate tri Rule 42 (b), judgment on a co claim may be rendered in ac terms of Rule 54 (b) when the tion so to do, even if the clai party have been dismissed or ot

Rule 14. Third-Party Practice.

(a) WHEN DEFENDANT MAY BRING IN THIRD PARTY. Before the service of his answer a defendant may move *ex parte* or, after the service of his answer, on notice to the plaintiff, for leave as a third-party plaintiff to serve a summons and complaint upon a person not a party to the action who is or may be liable to him for all or part of the plaintiff's claim against him. If the motion is granted and the summons and complaint are served, the person so served, hereinafter called the third-party defendant, shall make his defenses to the third-party plaintiff's claim as provided in Rule 12 and his counterclaims against the third-party plaintiff and cross-claims against other third-party defendants as provided in Rule 13. The third-party defendant may assert against the plaintiff any defenses which the third-party plaintiff has to the plaintiff's claim. The third-party defendant may also assert any claim against the plaintiff arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff. The plaintiff may assert any claim against the third-party defendant arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff, and the third-party defendant thereupon shall assert his defenses as provided in Rule 12 and his counterclaims and cross-claims as provided in Rule 13. A third-party defendant may proceed under this rule against any person not a party to the action who is or may be liable to him for all or part of the claim made in the action against the third-party defendant.

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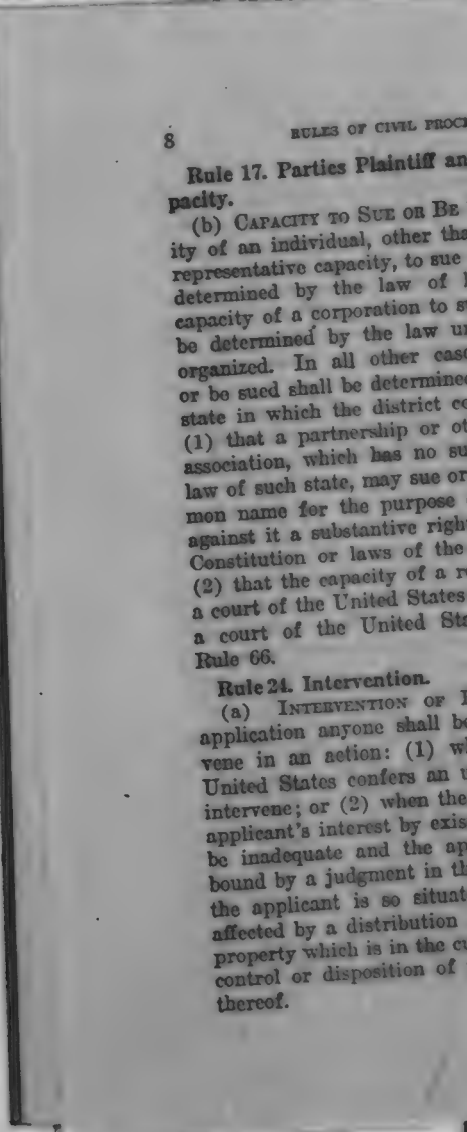

8 RULES OF CIVIL PROC

Rule 17. Parties Plaintiff an pacity.

(b) CAPACITY TO SUE OR BE ity of an individual, other tha representative capacity, to sue determined by the law of capacity of a corporation to s be determined by the law u organized. In all other cas or be sued shall be determine state in which the district c (1) that a partnership or o association, which has no su law of such state, may sue or mon name for the purpose against it a substantive righ Constitution or laws of the (2) that the capacity of a r a court of the United States a court of the United St Rule 66.

Rule 24. Intervention.

(a) INTERVENTION OF application anyone shall b vene in an action: (1) w United States confers an intervene; or (2) when the applicant's interest by exis be inadequate and the ap bound by a judgment in th the applicant is so situat affected by a distribution property which is in the c control or disposition of thereof.

(b) PERMISSIVE INTERVENTION. Upon timely application anyone may be permitted to intervene in an action: (1) when a statute of the United States confers a conditional right to intervene; or (2) when an applicant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order administered by a federal or state governmental officer or agency or upon any regulation, order, requirement, or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely application may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

Rule 26. Depositions Pending Action.

(a) WHEN DEPOSITIONS MAY BE TAKEN. Any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for the purpose of discovery or for use as evidence in the action or for both purposes. After commencement of the action the deposition may be taken without leave of court, except that leave, granted with or without notice, must be obtained if notice of the taking is served by the plaintiff within 20 days after commencement of the action. The attendance of witnesses may be compelled by the use of subpoena as provided in Rule 45. Depositions shall be taken only in accordance with these rules. The deposition of a person confined in prison may

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be taken only by leave of court o the court prescribes.

(b) SCOPE OF EXAMINATION. wise ordered by the court as pr 30 (b) or (d), the deponent ma regarding any matter, not privil relevant to the subject matter i pending action, whether it relat or defense of the examining party or defense of any other party, i istence, description, nature, cus and location of any books, docu tangible things and the identity persons having knowledge of rel is not ground for objection tha will be inadmissible at the trial sought appears reasonably calcu the discovery of admissible evid

Rule 27. Depositions Before A Appeal.

(a) BEFORE ACTION.

(3) *Order and Examinati* is satisfied that the perpetua mony may prevent a failu justice, it shall make an ord describing the persons whose be taken and specifying the the examination and whethe shall be taken upon oral exa ten interrogatories. The then be taken in accordance and the court may make ord ter provided for by Rules the purpose of applying the

tions for perpetuating testimony, each reference therein to the court in which the action is pending shall be deemed to refer to the court in which the petition for such deposition was filed.

(b) PENDING APPEAL. If an appeal has been taken from a judgment of a district court or before the taking of an appeal if the time therefor has not expired, the district court in which the judgment was rendered may allow the taking of the depositions of witnesses to perpetuate their testimony for use in the event of further proceedings in the district court. In such case the party who desires to perpetuate the testimony may make a motion in the district court for leave to take the depositions, upon the same notice and service thereof as if the action was pending in the district court. The motion shall show (1) the names and addresses of persons to be examined and the substance of the testimony which he expects to elicit from each; (2) the reasons for perpetuating their testimony. If the court finds that the perpetuation of the testimony is proper to avoid a failure or delay of justice, it may make an order allowing the depositions to be taken and may make orders of the character provided for by Rules 34 and 35, and thereupon the depositions may be taken and used in the same manner and under the same conditions as are prescribed in these rules for depositions taken in actions pending in the district court.

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12 RULES OF CIVIL PROCE

Rule 28. Persons Before Wh May Be Taken.

(a) WITHIN THE UNITED STA United States or within a ter possession subject to the domini States, depositions shall be tak cer authorized to administer o of the United States or of the examination is held, or before a by the court in which the actio person so appointed has power t and take testimony.

Rule 33. Interrogatories to P

Any party may serve upon written interrogatories to be party served or, if the party or private corporation or a pa ciation, by any officer or agent, such information as is availa Interrogatories may be served ment of the action and witho except that, if service is mad within 10 days after such comm court granted with or without obtained. The interrogatories separately and fully in writin answers shall be signed by t them; and the party upon w tories have been served shall answers on the party submit tories within 15 days after th terrogatories, unless the cou notice and for good cause shortens the time. Within 1

of interrogatories a party may serve written objections thereto together with a notice of hearing the objections at the earliest practicable time. Answers to interrogatories to which objection is made shall be deferred until the objections are determined.

Interrogatories may relate to any matters which can be inquired into under Rule 26 (b), and the answers may be used to the same extent as provided in Rule 26 (d) for the use of the deposition of a party. Interrogatories may be served after a deposition has been taken, and a deposition may be sought after interrogatories have been answered, but the court, on motion of the deponent or the party interrogated, may make such protective order as justice may require. The number of interrogatories or of sets of interrogatories to be served is not limited except as justice requires to protect the party from annoyance, expense, embarrassment, or oppression. The provisions of Rule 30 (b) are applicable for the protection of the party from whom answers to interrogatories are sought under this rule.

Rule 34. Discovery and Production of Documents and Things for Inspection, Copying, or Photographing.

Upon motion of any party showing good cause therefor and upon notice to all other parties, and subject to the provisions of Rule 30 (b), the court in which an action is pending may (1) order any party to produce and permit the inspection and copying or photographing, by or on behalf of the moving party, of any designated documents, papers, books, accounts, letters, photo-

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graphs, objects, or tangible thing which constitute or contain evi any of the matters within the sc ination permitted by Rule 26 (b in his possession, custody, or order any party to permit entry land or other property in his p trol for the purpose of inspec surveying, or photographing the designated object or operation t scope of the examination perm (b). The order shall specify th manner of making the inspecti copies and photographs and m terms and conditions as are just.

Rule 36. Admission of Facts ness of Documents.

(a) REQUEST FOR ADMISSION. ment of an action a party ma other party a written request by the latter of the genuinene documents described in and request or of the truth of an of fact set forth in the requ desires to serve a request wi commencement of the actio granted with or without notic Copies of the documents sh the request unless copies hav nished. Each of the matters sion is requested shall be deem within a period designated less than 10 days after servic such shorter or longer time

allow on motion and notice, the party to whom the request is directed serves upon the party requesting the admission either (1) a sworn statement denying specifically the matters of which an admission is requested or setting forth in detail the reasons why he cannot truthfully admit or deny those matters or (2) written objections on the ground that some or all of the requested admissions are privileged or irrelevant or that the request is otherwise improper in whole or in part, together with a notice of hearing the objections at the earliest practicable time. If written objections to a part of the request are made, the remainder of the request shall be answered within the period designated in the request. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party deny only a part or a qualification of a matter of which an admission is requested, he shall specify so much of it as is true and deny only the remainder.

Rule 41. Dismissal of Actions.

(a) VOLUNTARY DISMISSAL: EFFECT THEREOF.

(1) *By Plaintiff; By Stipulation.* Subject to the provisions of Rule 23 (e), of Rule 66, and of any statute of the United States, an action may be dismissed by the plaintiff without order of court (i) by filing a notice of dismissal at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs, or (ii) by filing a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise

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stated in the notice of dismi tion, the dismissal is without cept that a notice of dismis an adjudication upon the me by a plaintiff who has one any court of the United St state an action based on or inc claim.

(b) INVOLUNTARY DISMISSAL: E For failure of the plaintiff to comply with these rules or any a defendant may move for dismi or of any claim against him. Af has completed the presentation the defendant, without waiving h evidence in the event the motion may move for a dismissal on upon the facts and the law the pl no right to relief. In an acti court without a jury the court as may then determine them and against the plaintiff or may decli judgment until the close of all the court renders judgment on t the plaintiff, the court shall mak vided in Rule 52 (a). Unless order for dismissal otherwise spe under this subdivision and a provided for in this rule, other for lack of jurisdiction or for operates as an adjudication upo

Rule 45. Subpoena.

(b) FOR PRODUCTION OF DOCUMENTARY EVIDENCE. A subpoena may also command the person to whom it is directed to produce the books, papers, documents, or tangible things designated therein; but the court, upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may (1) quash or modify the subpoena if it is unreasonable and oppressive or (2) condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(d) SUBPOENA FOR TAKING DEPOSITIONS; PLACE OF EXAMINATION.

(1) Proof of service of a notice to take a deposition as provided in Rules 30 (a) and 31 (a) constitutes a sufficient authorization for the issuance by the clerk of the district court for the district in which the deposition is to be taken of subpoenas for the persons named or described therein. The subpoena may command the person to whom it is directed to produce designated books, papers, documents, or tangible things which constitute or contain evidence relating to any of the matters within the scope of the examination permitted by Rule 26 (b), but in that event the subpoena will be subject to the provisions of subdivision (b) of Rule 30 and subdivision (b) of this Rule 45.

(2) A resident of the district in which the deposition is to be taken may be required to attend an examination only in the county

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wherein he resides or is em acts his business in person, convenient place as is fixed court. A nonresident of the required to attend only in the he is served with a subpoe miles from the place of ser other convenient place as is of court.

Rule 52. Findings by the Court

(a) EFFECT. In all actions tri without a jury or with an ad court shall find the facts special arately its conclusions of law th the entry of the appropriate j granting or refusing interlocu the court shall similarly set for fact and conclusions of law wh grounds of its action. Request not necessary for purposes of of fact shall not be set aside unl ous, and due regard shall be gi tunity of the trial court to judge of the witnesses. The findings extent that the court adopts th sidered as the findings of the cou or memorandum of decision i sufficient if the findings of fac of law appear therein. Find conclusions of law are unnece of motions under Rules 12 or motion except as provided in

Rule 54. Judgments; Costs.

(b) JUDGMENT UPON MULTIP more than one claim for relief

action, whether as a claim, counterclaim, cross-claim, or third-party claim, the court may direct the entry of a final judgment upon one or more but less than all of the claims only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment. In the absence of such determination and direction, any order or other form of decision, however designated, which adjudicates less than all the claims shall not terminate the action as to any of the claims, and the order or other form of decision is subject to revision at any time before the entry of judgment adjudicating all the claims.

Rule 56. Summary Judgment.

(a) FOR CLAIMANT. A party seeking to recover upon a claim, counterclaim, or cross-claim or to obtain a declaratory judgment may, at any time after the expiration of 20 days from the commencement of the action or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof.

(c) MOTION AND PROCEEDINGS THEREON. The motion shall be served at least 10 days before the time fixed for the hearing. The adverse party prior to the day of hearing may serve opposing affidavits. The judgment sought shall be rendered forthwith if the pleadings, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may

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be rendered on the issue of liability there is a genuine issue as to damages.

Rule 58. Entry of Judgment.

Unless the court otherwise dire to the provisions of Rule 54 (b), the verdict of a jury shall be ent by the clerk; but the court shall di priate judgment to be entered upo dict or upon a general verdict a answers to interrogatories retur pursuant to Rule 49. When th that a party recover only money all relief be denied, the clerk shall forthwith upon receipt by him o but when the court directs entry other relief, the judge shall pro approve the form of the judgment it be entered by the clerk. The judgment in the civil docket as p 79 (a) constitutes the entry of th the judgment is not effective be The entry of the judgment shall for the taxing of costs.

Rule 59. New Trials; Amend ments.

(b) TIME FOR MOTION. A m trial shall be served not later th the entry of the judgment.

(c) MOTION TO ALTER OR AM A motion to alter or amend the j served not later than 10 days a judgment.

Rule 60. Relief From Judgment or Order.

(a) CLERICAL MISTAKES. Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. During the pendency of an appeal, such mistakes may be so corrected before the appeal is docketed in the appellate court, and thereafter while the appeal is pending may be so corrected with leave of the appellate court.

(b) MISTAKES; INADVERTENCE; EXCUSABLE NEGLECT; NEWLY DISCOVERED EVIDENCE; FRAUD, ETC. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59 (b); (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party; (4) the judgment is void; (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or (6) any other reason justifying relief from the operation of the judgment. The motion shall be made within a reasonable time, and for reasons (1), (2), and (3) not more than one year after the judgment, order, or proceeding was entered or taken. A

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motion under this subdivision (b) d the finality of a judgment or susp tion. This rule does not limit th court to entertain an independent a a party from a judgment, order, or to grant relief to a defendan personally notified as provided in the Judicial Code, U. S. C., Title set aside a judgment for fraud u Writs of coram nobis, coram vobis, and bills of review and bills in t bill of review, are abolished, and for obtaining any relief from a ju by motion as prescribed in these independent action.

Rule 62. Stay of Proceedings to ment.

(b) STAY ON MOTION FOR NEW JUDGMENT. In its discretion and tions for the security of the adv proper, the court may stay the exe proceedings to enforce a judgm disposition of a motion for a new or amend a judgment made purs or of a motion for relief from order made pursuant to Rule 60 for judgment in accordance with directed verdict made pursuant a motion for amendment to the fi ditional findings made pursuant

(h) STAY OF JUDGMENT UPON When a court has ordered a f some but not all of the claims action under the conditions stat the court may stay enforcement

until the entering of a subsequent judgment or judgments and may prescribe such conditions as are necessary to secure the benefit thereof to the party in whose favor the judgment is entered.

Rule 65. Injunctions.

(c) SECURITY. No restraining order or preliminary injunction shall issue except upon the giving of security by the applicant, in such sum as the court deems proper, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained. No such security shall be required of the United States or of an officer or agency thereof.

A surety upon a bond or undertaking under this rule submits himself to the jurisdiction of the court and irrevocably appoints the clerk of the court as his agent upon whom any papers affecting his liability on the bond or undertaking may be served. His liability may be enforced on motion without the necessity of an independent action. The motion and such notice of the motion as the court prescribes may be served on the clerk of the court who shall forthwith mail copies to the persons giving the security if their addresses are known.

Rule 66. Receivers Appointed by Federal Courts.

An action wherein a receiver has been appointed shall not be dismissed except by order of the court. A receiver shall have the capacity to sue in any district court without ancillary appointment; but actions against a receiver may not be commenced without leave of the court appointing him except when authorized by a statute of the United States.

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The practice in the administratio receivers or by other similar offi by the court shall be in accord practice heretofore followed in th United States or as provided in gated by the district courts. In al the action in which the appointme is sought or which is brought b receiver is governed by these rules.

Rule 68. Offer of Judgment.

At any time more than 10 days begins, a party defending again serve upon the adverse party a judgment to be taken against hi or property or to the effect spec with costs then accrued. If with the service of the offer the adv written notice that the offer is party may then file the offer a ceptance together with proof o and thereupon the clerk shall An offer not accepted shall be d and evidence thereof is not in a proceeding to determine co ment finally obtained by the o favorable than the offer, the off costs incurred after the making fact that an offer is made but not preclude a subsequent offer

Rule 73. Appeal to a Circuit

(a) WHEN AND HOW TAKEN. is permitted by law from a circuit court of appeals the ti appeal may be taken shall be entry of the judgment appe

shorter time is provided by law, except that in any action in which the United States or an officer or agency thereof is a party the time as to all parties shall be 60 days from such entry, and except that upon a showing of excusable neglect based on a failure of a party to learn of the entry of the judgment the district court in any action may extend the time for appeal not exceeding 30 days from the expiration of the original time herein prescribed. The running of the time for appeal is terminated by a timely motion made pursuant to any of the rules hereinafter enumerated, and the full time for appeal fixed in this subdivision commences to run and is to be computed from the entry of any of the following orders made upon a timely motion under such rules: granting or denying a motion for judgment under Rule 50 (b); or granting or denying a motion under Rule 52 (b) to amend or make additional findings of fact, whether or not an alteration of the judgment would be required if the motion is granted; or granting or denying a motion under Rule 59 to alter or amend the judgment; or denying a motion for a new trial under Rule 59.

A party may appeal from a judgment by filing with the district court a notice of appeal. Failure of the appellant to take any of the further steps to secure the review of the judgment appealed from does not affect the validity of the appeal, but is ground only for such remedies as are specified in this rule or, when no remedy is specified, for such action as the appellate court deems appropriate, which may include dismissal of the appeal. If an appeal has not been docketed, the parties, with the approval of the district court, may dismiss the appeal by stipulation filed

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in that court, or that court may di upon motion and notice by the app

(g) DOCKETING AND RECORD O record on appeal as provided for 76 shall be filed with the appella appeal there docketed within 40 date of filing the notice of appe when more than one appeal is same judgment to the same app district court may prescribe the and docketing, which in no eve than 40 days from the date of notice of appeal. In all cases t in its discretion and with or wi notice may extend the time for fil appeal and docketing the appeal extension is made before the e period for filing and docketing scribed or as extended by a pr the district court shall not exte day more than 90 days from t the first notice of appeal.

Rule 75. Record on Appeal t of Appeals.

(a) DESIGNATION OF CONTEN APPEAL. Promptly after an a court of appeals is taken, th serve upon the appellee and fil court a designation of the porti proceedings, and evidence to b record on appeal, unless the ap served and filed a designation. after the service and filing of s any other party to the appeal m designation of additional porti

proceedings, and evidence to be included. If the appellee files the original designation, the parties shall proceed under subdivision (b) of this rule as if the appellee were the appellant.

(b) TRANSCRIPT. If there be designated for inclusion any evidence or proceeding at a trial or hearing which was stenographically reported, the appellant shall file with his designation a copy of the reporter's transcript of the evidence or proceedings included in his designation. If the designation includes only part of the reporter's transcript, the appellant shall file a copy of such additional parts thereof as the appellee may need to enable him to designate and file the parts he desires to have added, and if the appellant fails to do so the court on motion may require him to furnish the additional parts needed. The copy so filed by the appellant shall be available for the use of the other parties. In the event that a copy of the reporter's transcript or of the necessary portions thereof is already on file, the appellant shall not be required to file an additional copy. When the rules of the circuit court of appeals so require, the appellant shall furnish a second copy of the transcript for use in the appellate court.

(d) STATEMENT OF POINTS. No assignment of errors is necessary. If the appellant does not designate for inclusion the complete record and all the proceedings and evidence in the action, he shall serve with his designation a concise statement of the points on which he intends to rely on the appeal.

(g) RECORD TO BE PREPARED BY CLERK—NECESSARY PARTS. The clerk of the district court, under his hand and the seal of the court, shall

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28 RULES OF CIVIL PROCED

transmit to the appellate court a matter designated by the parties, include, whether or not designat following: the material pleadi necessary duplication; the verdic of fact and conclusions of law t direction for the entry of judgme action tried without a jury, the m any; the opinion; the judgment appealed from; the notice of app filing; the designations or stip parties as to matter to be includ and any statement by the appell on which he intends to rely. Th tified and transmitted constitut appeal. The clerk shall transmi on appeal a copy thereof when a by the rules of the circuit court copy of the transcript filed as p vision (b) of this rule shall be clerk as a part of the record o clerk may not require an addi requisite to certification.

(h) POWER OF COURT TO CO RECORD. It is not necessary f appeal to be approved by the judge thereof except as provide (m) and (n) of this rule and i any difference arises as to wh truly discloses what occurred in the difference shall be submitt by that court and the record m the truth. If anything materi is omitted from the record on or accident or is misstated ther

stipulation, or the district court, either before or after the record is transmitted to the appellate court, or the appellate court, on a proper suggestion or of its own initiative, may direct that the omission or misstatement shall be corrected, and if necessary that a supplemental record shall be certified and transmitted by the clerk of the district court. All other questions as to the content and form of the record shall be presented to the circuit court of appeals.

(m) APPEALS IN FORMA PAUPERIS. Upon leave to proceed in forma pauperis, the district court may by order specify some different and more economical manner by which the record on appeal may be prepared and settled, to the end that the appellant may be enabled to present his case to the appellate court.

(n) APPEALS WHEN NO STENOGRAPHIC REPORT WAS MADE. In the event no stenographic report of the evidence or proceedings at a hearing or trial was made, the appellant may prepare a statement of the evidence or proceedings from the best available means, including his recollection, for use instead of a stenographic transcript. This statement shall be served on the appellee who may serve objections or propose amendments thereto within 10 days after service upon him. Thereupon the statement, with the objections or proposed amendments, shall be submitted to the district court for settlement and approval and as settled and approved shall be included by the clerk of the court in the record on appeal.

(o) RULE FOR TRANSMISSION OF ORIGINAL PAPERS. Whenever a circuit court of appeals provides by rule for the hearing of appeals on the

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30 RULES OF CIVIL PROCEDU

original papers, the clerk of th shall transmit them to the appell of the copies provided by this Rul mittal shall be within such time as is provided in Rule 73 (g), exc trict court by order may fix a sh clerk shall transmit all the origin file dealing with the action or t which the appeal is taken, with such omissions as are agreed u stipulation of the parties on fil pend his certificate identifying reasonable definiteness. If a t testimony is on file the clerk sh also; otherwise the appellant sh clerk for transmission such t testimony as he deems necessar subject to the right of an appe additional portions or to procur the district court requiring the a After the appeal has been dispos shall be returned to the custod court. The provisions of subdi (k), (l), (m), and (n) shall with reference to the original provided rather than to a copy

Rule 77. District Courts and

(d) NOTICE OF ORDERS OR JU diately upon the entry of an o the clerk shall serve a notice of in the manner provided for in party affected thereby who for failure to appear, and shall docket of the mailing. Such n notice for all purposes for w

entry of an order is required by these rules; but any party may in addition serve a notice of such entry in the manner provided in Rule 5 for the service of papers. Lack of notice of the entry by the clerk does not affect the time to appeal or relieve or authorize the court to relieve a party for failure to appeal within the time allowed, except as permitted in Rule 73 (a).

Rule 79. Books and Records Kept by the Clerk and Entries Therein.

(a) CIVIL DOCKET. The clerk shall keep a book known as "civil docket" of such form and style as may be prescribed by the Director of the Administrative Office of the United States Courts with the approval of the Judicial Conference of Senior Circuit Judges, and shall enter therein each civil action to which these rules are made applicable. Actions shall be assigned consecutive file numbers. The file number of each action shall be noted on the folio of the docket whereon the first entry of the action is made. All papers filed with the clerk, all process issued and returns made thereon, all appearances, orders, verdicts, and judgments shall be noted chronologically in the civil docket on the folio assigned to the action and shall be marked with its file number. These notations shall be brief but shall show the nature of each paper filed or writ issued and the substance of each order or judgment of the court and of the returns showing execution of process. The notation of an order or judgment shall show the date the notation is made. When in an action trial by jury has been properly demanded or ordered the clerk shall enter the word "jury" on the folio assigned to that action.

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(b) CIVIL JUDGMENTS AND ORD shall keep, in such form and ma rector of the Administrative Offic States Courts with the approval Conference of Senior Circuit J scribe, a correct copy of every fi appealable order, or order affectin upon real or personal property, order which the court may direct

(c) INDICES; CALENDARS. Sui the civil docket and of every civ order referred to in subdivision shall be kept by the clerk under the court. There shall be prepar rection of the court calendars of for trial, which shall distinguish from "court actions."

(d) OTHER BOOKS AND RECOR The clerk shall also keep such records as may be required from the Director of the Administra United States Courts with the Judicial Conference of Senior C

Rule 80. Stenographer; Ster or Transcript as Evidence.

(a) STENOGRAPHER. (Abroga

(b) OFFICIAL STENOGRAPHER.

Rule 81. Applicability in Ge

(a) TO WHAT PROCEEDINGS

(2) In the following pr are governed by these rule applicable otherwise than to the extent that the pra ceedings is not set forth United States and has her

to the practice in actions at law or suits in equity: admission to citizenship, habeas corpus, quo warranto, and forfeiture of property for violation of a statute of the United States. The requirements of U. S. C., Title 28, § 466, relating to certification of probable cause in certain appeals in habeas corpus cases remain in force.

(3) In proceedings under the Act of February 12, 1925, c. 213 (43 Stat. 883), U. S. C., Title 9, relating to arbitration, or under the Act of May 20, 1926, c. 347, § 9 (44 Stat. 585), U. S. C., Title 45, § 159, relating to boards of arbitration of railway labor disputes, these rules apply to appeals, but otherwise only to the extent that matters of procedure are not provided for in those statutes. These rules apply (1) to proceedings to compel the giving of testimony or production of documents in accordance with a subpoena issued by an officer or agency of the United States under any statute of the United States except as otherwise provided by statute or by rules of the district court or by order of the court in the proceedings, and (2) to appeals in such proceedings.

(6) These rules do not apply to proceedings under the Act of September 13, 1888, c. 1015, § 13 (25 Stat. 479), as amended, U. S. C., Title 8, § 282, relating to deportation of Chinese; they apply to proceedings for enforcement or review of compensation orders under the Longshoremen's and Harbor Workers' Compensation Act, Act of March 4, 1927, c. 509, §§ 18, 21 (44 Stat. 1434, 1436),

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34 RULES OF CIVIL PROCEDU

U. S. C., Title 33, §§ 918, 92 extent that matters of procedu for in that Act. The provis by publication and for answe to cancel certificates of citiz Act of June 29, 1906, c. 3592 601), as amended, U. S. C., T main in effect.

(c) REMOVED ACTIONS. These civil actions removed to the distr United States from the state co all procedure after removal. R necessary unless the court so o moved action in which the def answered, he shall answer or p defenses or objections availabl these rules within the time all by the law of the state or wit the filing of the transcript of t district court of the United S period is longer, but in any eve after the filing of the transcript. removal all necessary pleadings a party entitled to trial by jur and who has not already waived trial shall be accorded it, if his is served within 10 days after action is filed in the district co States.

(f) REFERENCES TO OFFICER STATES. Under any rule in w made to an officer or agency of the term "officer" includes a co revenue, a former collector of i

the personal representative of a deceased collector of internal revenue.

Rule 84. Forms.

The forms contained in the Appendix of Forms are sufficient under the rules and are intended to indicate the simplicity and brevity of statement which the rules contemplate.

Rule 86. Effective Date.

(b) EFFECTIVE DATE OF AMENDMENTS. The amendments adopted by the Supreme Court on December 27, 1946, and transmitted to the Attorney General on January 2, 1947, shall take effect on the day which is three months subsequent to the adjournment of the first regular session of the 80th Congress, but, if that day is prior to September 1, 1947, then these amendments shall take effect on September 1, 1947. They govern all proceedings in actions brought after they take effect and also all further proceedings in actions then pending, except to the extent that in the opinion of the court their application in a particular action pending when the amendments take effect would not be feasible or would work injustice, in which event the former procedure applies.

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APPENDIX OF FOR

Form 17.—Complaint for Infringeme and Unfair Competitio

1. Allegation of jurisdiction.

2. Prior to March, 1936, plaintiff, who since has been a citizen of the United S wrote an original book, entitled.....

3. This book contains a large amount original with plaintiff and is copyright under the laws of the United States.

4. Between March 2, 1936, and March complied in all respects with the Act of all other laws governing copyright, and s rights and privileges in and to the copyrig received from the Register of Copyrig registration, dated and identified as follo Class....., No. ....."

5. Since March 10, 1936, said book ha plaintiff and all copies of it made by p authority or license have been printed, b in strict conformity with the provis ..... and all ot copyright.

6. Since March 10, 1936, plaintiff has sole proprietor of all rights, title, and i copyright in said book.

7. After March 10, 1936, defendant right by publishing and placing upon entitled....., whi from plaintiff's copyrighted book, enti .....

8. A copy of plaintiff's copyrighted b as "Exhibit 1"; and a copy of defendan hereto attached as "Exhibit 2."

9. Plaintiff has notified defendant that defendant has infringed the copyright of plaintiff, and defendant has continued to infringe the copyright.

10. After March 10, 1936, and continuously since about _____; defendant has been publishing, selling and otherwise marketing the book entitled _____, and has thereby been engaging in unfair trade practices and unfair competition against plaintiff to plaintiff's irreparable damage.

Wherefore plaintiff demands:

(1) That defendant, his agents, and servants be enjoined during the pendency of this action and permanently from infringing said copyright of said plaintiff in any manner, and from publishing, selling, marketing or otherwise disposing of any copies of the book entitled _____.

(2) That defendant be required to pay to plaintiff such damages as plaintiff has sustained in consequence of defendant's infringement of said copyright and said unfair trade practices and unfair competition and to account for

(a) all gains, profits and advantages derived by defendant by said trade practices and unfair competition and

(b) all gains, profits, and advantages derived by defendant by his infringement of plaintiff's copyright or such damages as to the court shall appear proper within the provisions of the copyright statues, but not less than two hundred and fifty dollars.

(3) That defendant be required to deliver up to be impounded during the pendency of this action all copies of said book entitled _____ in his possession or under his control and to deliver up for destruction all infringing copies and all plates, molds, and other matter for making such infringing copies.

(4) That defendant pay to plaintiff the costs of this action and reasonable attorney's fees to be allowed to the plaintiff by the court.

(5) That plaintiff have such other and further relief as is just.

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Form 20.—Answer Presenting Defenses Under Rule 12 (b)

NOTE (REVISED)

The above form contains examples of certain defenses provided for in Rule 12 (b). The first defense challenges the legal sufficiency of the complaint. It is a substitute for a general demurrer or a motion to dismiss.

The second defense embodies the old plea in abatement; the decision thereon, however, may well provide under Rules 19 and 21 for the citing in of the party rather than an abatement of the action.

The third defense is an answer on the merits.

The fourth defense is one of the affirmative defenses provided for in Rule 8 (c).

The answer also includes a counterclaim and a cross-claim.

Form 22.—Motion to Bring in Third-Party Defendant

(Form for motion remains unchanged)

Exhibit A

(Form for summons as part of Exhibit A remains unchanged)

United States District Court for the Southern District of New York

Civil Action, File Number ----------

A. B., plaintiff
v.
C. D., defendant and third-party plaintiff
v.
E. F., third-party defendant

Third-Party Complaint.

1. Plaintiff A. B. has filed against defendant C. D. a complaint, a copy of which is hereto attached as "Exhibit C."

2. (Here state the grounds upon which C. D. is entitled to recover from E. F., all or part of what A. B. may recover from C. D. The statment should be framed as in an original complaint.) Wherefore C. D. demands judgment against third-party defendant E. F. for all sums that may be adjudged against defendant C. D. in favor of plaintiff A. B.

Signed:----------,
Attorney for C. D., Third-Party Plaintiff.
Address:----------

FORM 25.—REQUEST FOR ADMISSION UNDER RULE 36

Plaintiff A. B. requests defendant C. D. within ..... days after service of this request to make the following admissions for the purpose of this action only and subject to all pertinent objections to admissibility which may be interposed at the trial:

1. That each of the following documents, exhibited with this request, is genuine.

(Here list the documents and describe each document.)

2. That each of the following statements is true.

(Here list the statements.)

Signed:.....;

Attorney for Plaintiff.

Address:.....

Rene De Meerleer,

Petitioner,

140 vs.

The People of the State of Michigan.

Argued by Mr. David W. Louisell for the petitioner and by Mr. Edmund E. Shepherd for the respondent.

Insurance Group Committee, Reorganization Committee, Guaranty Trust Company of New York, Trustee, et al.,

Petitioners,

690 vs.

The Denver and Rio Grande Western Railroad Company, et al.

Argued by Mr. George D. Gibson and Mr. Kenneth F. Burgess for the petitioners, and by Mr. Frank C. Nicodemus, Jr., and Mr. William V. Hodges for the respondents.

Julius A. Krug, Secretary of the Interior, et al.,

Petitioners,

97 vs.

Santa Fe Pacific Railroad Company; and

Julius A. Krug, Secretary of the Interior, et al.,

Petitioners,

98 vs.

Santa Fe Pacific Railroad Company.

Argument commenced by Mr. Frederick Bernays Wiener for the petitioners.

- - - - - - - - - - - -

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel M. Watson, It is ordered that Richmond C. Coburn, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard F. Harvey, It is ordered that Arthur O. Jones, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley H. Kamerow, It is ordered that Allan L. Kamerow, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Karon, It is ordered that Robert O. Campbell, Esquire, of Bath, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Richard Coblentz, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Julius A. Krug, Secretary of the Interior, et al.,

Petitioners,

97 vs.

Santa Fe Pacific Railroad Company; and

Julius A. Krug, Secretary of the Interior, et al.,

Petitioners,

98 vs.

Santa Fe Pacific Railroad Company.

Argument continued by Mr. Frederick Bernays Wiener for the petitioners, by Mr. Lawrence H. Cake for the respondent, and concluded by Mr. Frederick Bernays Wiener for the petitioners.

Robert P. Patterson, Secretary of War, et al.,

Petitioners,

229 vs.

James John Lamb.

Argued by Mr. Frederick Bernays Wiener for the petitioners and by Mr. Roger Robb for the respondent.

Zachary Bozza,

Petitioner,

190 vs.

The United States of America.

Argued by Mr. W. Marvin Smith for the respondent and submitted by

Mr. Harold Simandl for the petitioner.

Transparent-Wrap Machine Corporation,

Petitioner,

208 vs.

Stokes & Smith Company.

Argument commenced by Mr. R. Morton Adams for the petitioner.

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WEDNESDAY, JANUARY 8, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Chauncey W. Reed, It is ordered that Alexander J. Resa, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel E. Darby, Jr., It is ordered that Lawrence T. Phelan, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Chapman Revercomb, It is ordered that Claude Elbert Goodwin, Esquire, of Ripley, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that John H. Midlen, Esquire, of Washington, District of Columbia, and George O. Sutton, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Jerry D'Unger, Esquire, of Corpus Christi, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rosel H. Hyde, It is ordered that George MacClain, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Harry Becker, It is ordered that Samuel Shapiro, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Transparent-Wrap Machine Corporation,

Petitioner,

208 vs.

Stokes & Smith Company.

Argument continued by Mr. Morton Adams for the petitioner and concluded by Mr. Samuel E. Darby, Jr., for the respondent.

Edgar S. Albrecht and Geraldine Albrecht,
His Wife, et al.,

Petitioners,

148 vs.

The United States of America;

Edward J. Linnenbringer,

Petitioner,

149 vs.

The United States of America;

Dennis B. Pitman and May Dell Pitman,

Petitioners,

150 vs.

The United States of America;

A. Ray Oliver, Executor of the Estate of Lola Castlio Oliver, Deceased, et al.,

Petitioners,

151 vs.

The United States of America; and

Q. W. S. S. Realty and Investment Company,

Petitioner,

155 vs.

The United States of America.

Argument commenced by Mr. Richmond C. Coburn for the petitioners, continued by Mr. Roger P. Marquis for the respondent, and concluded by Mr. Samuel M. Watson for the petitioners. Leave granted petitioners to file reply brief within ten (10) days.

The United States,

Petitioner,

94 vs.

N. Y. Rayon Importing Co., Inc. (No. 2), and Alfred L. Rose, Norman S. Goetz, et al.; and

N. Y. Rayon Importing Co., Inc. (No. 2), and Alfred L. Rose, Norman S. Goetz, et al.,

Petitioners,

96 vs.

The United States.

Argued by Mr. Joseph M. Proskauer for N. Y. Rayon Importing Co., Inc., et al., and by Mr. Samuel D. Slade for the United States.

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TUESDAY, JANUARY 9, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Elmer Thomas, It is ordered that Jack T. Conn, Esquire, of Ada, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ode L. Rankin, It is ordered that Joseph I. Bulger, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Darius P. Prince, It is ordered that Sherman E. Burt, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Conway C. Craig, Bob McCracken, and
Tom Mulvany,

Petitioners,

241 vs.

John B. Harney, Sheriff of Nueces County,
Texas.

Argued by Mr. Ireland Graves and Mr. Marcellus G. Eckhardt for the petitioners and by Mr. Jerry D'Unger for the respondent.

Packard Motor Car Company,

Petitioner,

658 vs.

National Labor Relations Board.

Argued by Mr. Louis P. Dahling for the petitioner and by Mr. Gerhard P. Van Arkel for the respondent. Leave granted petitioner to file a reply brief within ten (10) days.

Adam A. Adams,

Petitioner,

209 vs.

Commissioner of Internal Revenue.

Argument commenced by Mr. Sydney A. Gutkin for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, JANUARY 10, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry S. Drinker, Jr., It is ordered that Calvin H. Rankin, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Philip Wallis, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. Homer Ferguson, It is ordered that Eugene M. Thore, Esquire, of Washington, District of Columbia, and Frederick C. Nash, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clare E. Hoffman, It is ordered that Carl E. Hoffman, Esquire, of Allegan, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Ayers, It is ordered that Charles Hilsenroth, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace L. Lohnes, It is ordered that Edward August Waldmann, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Rogers, It is ordered that Arthur J. Phelan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl A. Auerbach, It is ordered that James A. Durham, Esquire, of Bloomington, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Adam A. Adams,

Petitioner,

209 vs.

Commissioner of Internal Revenue.

Argument continued by Mr. Sydney A. Gutkin for the petitioner, by Mr. J. Louis Monarch for the respondent, and concluded by Mr. Sydney A. Gutkin for the petitioner.

J. Robert Bazley,

Petitioner,

287 vs.

Commissioner of Internal Revenue.

Argued by Mr. Henry S. Drinker for the petitioner and by Mr. J. Louis Monarch for the respondent.

Frank A. Cardillo, Deputy Commissioner,
United States Employees' Compensation
Commission,

Petitioner,

265 vs.

Liberty Mutual Insurance Company, et al.

Argued by Mr. Philip Elman for the petitioner and by Mr. Arthur J. Phelan for the respondents.

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MONDAY, JANUARY 13, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clair Engle, It is ordered that John M. Ennis, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dwight L. Rogers, It is ordered that B. E. Hendricks, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert E. Jones, It is ordered that Carroll Hudson Tunnicliffe Jones, Esquire, of Hempstead, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that George D. Nelson, Esquire, of Minden, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. Manning Marcus, It is ordered that Harry A. Fathauer, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Moreschi, It is ordered that Zack T. Ritsos, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. McMurray, Jr., It is ordered that Donald A. Morgan, Esquire, of Peoria, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Conn, It is ordered that Benjamin F. Lindas, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Jackson, It is ordered that Abraham M. Fisch, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Parsons, It is ordered that Alfred O. Bjorklund, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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George E. Hickman, as Administrator of the Estate of Norman E. Hickman, Deceased,

Petitioner,

47 vs.

John M. Taylor and George Anderson, Individually and Trading as Taylor & Anderson Towing and Lighterage Company, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of

argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Justice Murphy.

Concurring opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

The Order of Railway Conductors of America, H. W. Fraser, President, et al.,

Petitioners,

63 vs.

O. E. Swan, T. K. Faherty, R. A. Knoff, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice Murphy.

Separate opinion by Mr. Justice Frankfurter.

F. J. Williams, William Bishop, Paul M. Carter, et al., etc.,

Petitioners,

64 vs.

C. E. Swan, T. K. Faherty, R. A. Knoff, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice Murphy.

Separate opinion by Mr. Justice Frankfurter.

A. M. Anderson, Receiver of National Bank of Kentucky, Louisville, Kentucky,

Petitioner,

87 vs.

Irvin Yungkau, Executor of the Estate of Albert Yungkau, Deceased, et al., etc.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Kentucky.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Burton joins.

The Chief Justice and Mr. Justice Reed took no part in the consideration or decision of this case.

State of Louisiana, ex rel. Willie Francis,

Petitioner,

142 vs.

E. L. Resweber, Sheriff of the Parish of St. Martin, Louisiana, et al.

On writ of certiorari to the Supreme Court of the State of Louisiana.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge concur.

Helene A. Jesionowski, Administratrix,

Petitioner,

88 vs.

Boston & Maine Railroad.

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting: Mr. Justice Reed, Mr. Justice Jackson and Mr. Justice Burton.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Bernard M. Shotkin,

Petitioner.

58, Misc.

ON CONSIDERATION of the motion for oral argument herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Bailey,

Petitioner.

90, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of New York, State of Delaware, State of Indiana, et al.,

Appellants,

343 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.;

Horace A. Hildreth, Governor of the State of Maine, Charles M. Dale, Governor of the State of New Hampshire, et al.,

Appellants,

344 vs.

The United States of America, Interstate Commerce Commission, et al.; and

The Atchison, Topeka and Santa Fe Railway Company, et al.,

Appellants,

345 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.

The motions for a continuance are granted and the cases are reassigned for argument on Monday, March 3, next.

Schine Chain Theatres, Inc., et al.,

Appellants,

572 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a new statement as to jurisdiction in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Hyman Rappy,

Petitioner,

703 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin B. H. Tower, Jr., Petitioner, vs. Water Hammer Arrester Corp.

717

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael Salzman, Petitioner, vs. London Coat of Boston, Inc.

744

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. G. Kordewick, Henry Potrafke, Lawrence E. Pecor, et al., Petitioners, vs. Indiana Harbor Belt Railroad Company.

754

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stella Chisholm, Administratrix of the Estate of Howard Llewellyn Chisholm, Deceased,

Petitioner,

787 vs.

Reading Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph W. Frazer,

Petitioner,

758 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

David Rubin,

Petitioner,

786 vs.

People of the State of New York.

On petition for writ of certiorari to the County Court of Orange County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Fasano, Petitioner,

788 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of King's County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter B. Smith, Petitioner,

802 vs.

State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Strong, Petitioner,

807 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Kane County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Rucker, Petitioner,

817 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Williams, Petitioner,

828 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vito Nitti, Petitioner,

830 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Almira G. Freeman, as Successor Trustee Under the Will and of the Estate of Henry C. Starr, Deceased,

Appellant,

3 vs.

Gilbert R. Hewit, Director of Gross Income Tax Division, Department of Treasury, State of Indiana.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Chicago, Rock Island and Pacific Railway Company, et al.,

Petitioners,

454 vs.

John C. Traphagen, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Lee,

Petitioner,

496 vs.

The Department of Public Welfare and State Parole Board.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Soewapadji and 218 Alien Indonesian Seamen Similarly Situated,

Petitioners,

672 vs.

I. F. Wixon, as Custodian of Petitioners in the United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Market Street Railway Company,

Petitioner,

679 vs.

Railroad Commission of the State of California, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Freeman J. Thomson, Administrator of the Estate of Arthur W. Thomson, Deceased,

Petitioner,

689 vs.

Caroline Thomson.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vanston Bondholders Protective Committee,

Petitioner,

42 vs.

Louis A. Green, et al.; and

Vanston Bondholders Protective Committee,

Petitioner,

43 vs.

Carl B. Barly, et al.

A petition for rehearing having been filed in these cases;

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

Mr. Justice Frankfurter and Mr. Justice Jackson are of the opinion that the petition should be granted.

Vanhorn Bondholders Protective Committee,

Petitioner,

44 vs.

Louis A. Green, et al.; and

Vanhorn Bondholders Protective Committee,

Petitioner,

45 vs.

Carl B. Early, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

Mr. Justice Frankfurter and Mr. Justice Jackson are of the opinion that the petition should be granted.

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The Court will take a recess from Monday, January 20, until Monday, February 3, next.

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The United States of America,

Petitioner,

56 vs.

Legh R. Powell, Jr., and Henry W. Anderson, as Receivers of the Properties and Assets of Seaboard Air Line Railway Company; and

The United States of America,

Petitioner,

57 vs.

Atlantic Coast Line Railroad Company.

Argued by Mr. Robert L. Werner for the petitioner, by Mr. Thomas L. Preston for the respondents in No. 56, and by Mr. Thomas W. Davis for the respondent in No. 57.

Northern Pacific Railway Company,

Petitioner,

400 vs.

The United States of America.

Argued by Mr. Lorenzo B. daPonte for the petitioner and by Mr. Robert L. Werner for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Brooks Hays, It is ordered that Edward D. McLaughlin, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice W. Covert, It is ordered that Maurice J. Gordon, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Lane Cricher, It is ordered that George N. Mecham, Esquire, of Omaha, State of Nebraska; William A. Tautges, Esquire, of Minneapolis, State of Minnesota; and Walter J. Welch, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry Steiner, It is ordered that Bruno Berk, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert B. Jacoby, It is ordered that Mose Silverman, Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Joseph B. Hobbs, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that William James Costello, Esquire, of Great Falls, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hudson Maynham Cox, It is ordered that Edward D. Wynot, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

759 vs.

United Mine Workers of America, an Unincorporated Association;

The United States of America,

Petitioner,

760 vs.

John L. Lewis, Individually and as President of the United Mine Workers of America;

United Mine Workers of America, an Unincorporated Association,

Petitioner,

781 vs.

The United States of America;

John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioner,

782 vs.

The United States of America; and

United Mine Workers of America, an Unincorporated Association, and John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioners,

811 vs.

The United States of America.

Three and one-half hours allowed for oral argument. Argument commenced by Mr. Attorney General Clark for the United States; continued by Mr. Welly K. Hopkins and Mr. Joseph A. Padway for the United Mine Workers and John L. Lewis; and concluded by Mr. Assistant Attorney General Sonnett for the United States. Leave granted to file briefs of the Congress of Industrial Organizations, Workers Defense League, National Lawyers Guild, and National Maritime Union of America, CIO, as amici curiae.

The Confederated Bands of the Ute Indians,

Petitioners,

141 vs.

The United States.

Argument commenced by Mr. Ernest L. Wilkinson for the petitioners.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Harold M. Fulk, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank A. Mathews, Jr., It is ordered that John Claud Simon, Esquire, of Camden, State of New Jersey; Lester A. Drenk, Esquire, of Camden, State of New Jersey; William S. Zink, Esquire, of Camden, State of New Jersey; Howard R. Yocum, Esquire, of Camden, State of New Jersey; and Benjamin F. Friedman, Esquire, of Camden, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Souby, It is ordered that Robert B. Hamer, Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. McGovern, It is ordered that James J. Mennis, Esquire, of New York, State of New York, and Francis N. Curry, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest L. Wilkinson, It is ordered that Glen A. Wilkinson, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mortimer Levitan, It is ordered that Lawrence E. Hart, Esquire, of Madison, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Bernard F. Ladon, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carleton U. Edwards II, It is ordered that Joseph Cohn, Esquire, of New York, State of New York, and Barney Joseph Keren, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Foley, It is ordered that Daniel L. Boland, Esquire, of Wilkes-Barre, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

53 vs.

Paul David Sheridan.

Time within which to file a petition for rehearing extended to January 27 upon motion of counsel for the petitioner.

The Confederated Bands of the Ute Indians,

Petitioners,

141 vs.

The United States.

Argument continued by Mr. Ernest L. Wilkinson for the petitioners, by Mr. Marvin J. Sonosky for the respondent, and concluded by Mr. Ernest L. Wilkinson for the petitioners.

Aircraft & Diesel Equipment Corporation,

Appellant,

95 vs.

Maurice Hirsch, E. D. McDougal, John R. Paul, et al.

Argued by Mr. Arthur R. Hall for the appellant and by Mr. Robert L. Stern for the appellees.

Admiral Dewey Adamson,

Appellant,

102 vs.

People of the State of California.

Argument commenced by Mr. Morris Lavine for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Justin Leroy Johnson, It is ordered that Robert P. Sullivan, Esquire, of Stockton, State of California, and William Jack Chow, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counselors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that W. Victor Rodin, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Louis Monarch, It is ordered that Henry R. Heebner, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip J. Hennessey, Jr., It is ordered that Jack A. Donnelley, Esquire, of San Diego, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Austin P. Canfield, It is ordered that Peter Hofstra, Esquire, of Paterson, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard A. Stol, It is ordered that William W. Kapell, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abner Brodie, It is ordered that Edward J. Fruchtman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Al. Philip Kane, It is ordered that Randall T. Elliott, Esquire, of University Heights, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Minian Deall, It is ordered that J. Richard Riggles, Jr., Esquire, of Jackson Heights, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Tollen, It is ordered that Gilbert Goldstein, Esquire, of New York, State of New York, and Lawrence Kovalsky, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Kaun, It is ordered that John Harold Hughes, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

335 vs.

The Nashville, Chattanooga & St. Louis Railway.

Motion for leave to file brief of Railway Labor Executives' Association as amicus curiae submitted by Mr. Lester P. Schoene in support thereof and by Mr. Watson Whitwell for the respondent in opposition thereto. Leave granted to file with leave to the respondent to reply hereafter.

Philip B. Fleming, Temporary Controls Administrator,

Petitioner,

875 vs.

Royal Lee, doing business as Vitamin Products Company.

Time within which to serve petition for writ of certiorari and record extended to a date not later than 10 days after the giving of notice by the Clerk of this Court to counsel for petitioner that the printed record has been delivered to such Clerk.

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Admiral Dewey Adamson,

Appellant,

102 vs.

People of the State of California.

Argument continued by Mr. Morris Lavine for the appellant; by Mr. Walter L. Bowers for the appellee; and concluded by Mr. Morris Lavine for the appellant. Leave granted appellant to file a reply brief.

The Penfield Company of California and
A. W. Young,

Petitioners,

453 vs.

Securities and Exchange Commission.

Argued by Mr. Morris Lavine for the petitioners and by Mr. Roger S. Foster for the respondent.

Newton W. Ellis,

Petitioner,

320 vs.

Union Pacific Railroad Company.

Argument commenced by Mr. George Mecham for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 10 o'clock a.m.

FRIDAY, JANUARY 17, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph C. O'Mahoney, It is ordered that Jean McManus, of Sheridan, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Leo A. Rover, It is ordered that Joseph C. Turco, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roscoe Rizley, It is ordered that Edmond J. Donohue, Jr., Esquire, of Pontiac, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that Joseph E. Hendricks, Esquire, of DeLand, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Reynolds Sands, It is ordered that Arthur E. Aldrich, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred C. Aurich, It is ordered that Oscar A. Mellin, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip W. Yager, It is ordered that Godfrey H. Wende, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Complainant,

12, Original vs.

The State of California.

This case is reassigned for argument on March 12, next. Brief of the State of California to be served upon the Solicitor General 15 days prior to argument.

R. F. Hunter,

Petitioner,

893 vs.

Texas Electric Railway Company.

Time within which to serve petition for writ of certiorari and record extended to a date not later than 10 days after the giving of notice by the Clerk of this Court to counsel for petitioner that the printed record has been delivered to such Clerk.

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Newton W. Ellis,

Petitioner,

320 vs.

Union Pacific Railroad Company.

Argument continued by Mr. George Mecham for the petitioner, by Mr. Robert B. Hamer for the respondent, and concluded by Mr. George Mecham for the petitioner.

Industrial Commission of Wisconsin, Leo Thomas Kopp, and State of Wisconsin,

Petitioners,

270 vs.

E. E. McCartin and Continental Casualty Company.

Argued by Mr. Mortimer Levitan for the petitioners and by Mr. Lawrence E. Hart for the respondents.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

335 vs.

The Nashville, Chattanooga & St. Louis Railway; and

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

336 vs.

Portland Terminal Company.

Argument commenced by Mr. William S. Tyson for the petitioner, continued by Mr. E. Spencer Miller for the respondent in No. 336, by Mr. Walton Whitwell for the respondent in No. 335, and concluded by Mr. William S. Tyson for the petitioner.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph R. Bryson, It is ordered that Edgar L. Morris, Esquire, of Columbia, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Maurice Morris, It is ordered that Louis C. Wyman, Esquire, of Manchester, State of New Hampshire, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Coughlan, Jr., It is ordered that Symone S. Spector, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Van Orden, It is ordered that Lawrence I. Shaw, Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Murray I. Gurfein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene V. Van Veen, It is ordered that Ralcigh M. Sutton, Esquire, of Washington, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marvin M. Smith, It is ordered that Arthur J. Hilland, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that John W. Lederle, Esquire, of Ann Arbor, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond S. Springer, It is ordered that Solly K. Frankenstein, Esquire, of Fort Wayne, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Wheeler, It is ordered that Theodore W. Miller, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claude W. Dudley, It is ordered that Warner Fuller, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States, Petitioner, vs. The Thayer-West Point Hotel Company. 106

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed to the extent that it includes an allowance for interest; and that this cause be, and the same is hereby, remanded to the Court of Claims for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Charles B. Morris, Appellant, vs. Paul F. Jones, Director of Insurance of the State of Illinois. 62

Appeal from and writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The appeal herein is dismissed but, treating the appeal papers as a petition for writ of certiorari, a writ of certiorari is granted. The judgment is reversed with costs and the cause is remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Rutledge concur.

Walter P. Gardner, Trustee of the Central Railroad Company of New Jersey,

Petitioner,

vs.

The State of New Jersey.

92

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed in part and reversed in part. One-fourth of the costs in this Court are to be taxed against petitioner and three-fourths against the respondent.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Jack Parker, Isidor M. Saks, Melvin Caplan, et al.,

Petitioner,

vs.

Philip B. Fleming, Temporary Controls Administrator.

80

On writ of certiorari to the United States Emergency Court of Appeals.

THIS CAUSE came on to be heard on the transcript of the record from the United States Emergency Court of Appeals, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Emergency Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Emergency Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting: The Chief Justice, Mr. Justice Frankfurter and Mr. Justice Burton.

Robert P. Patterson, Secretary of War, and Edward F. Witsell, The Adjutant General, United States Army,

Petitioners,

vs.

James John Lank.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

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The Chief Justice announced the following order of the Court:

The United States of America,

Petitioner,

vs.

Thomas Balogh.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition for certiorari should be denied.

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The United States of America, Petitioner, vs. Thomas Balogh. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

800

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte William Watkins, Petitioner.

91, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Francis Haines,

Petitioner.

[illegible], Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Carl E. Owens,

Petitioner.

[illegible], Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Emanuel Cannady,

Petitioner.

79, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Thomas,

Petitioner.

93, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte James D. Kneisley,

Petitioner.

95, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

89 vs.

National Lead Company, Titan Company, Inc., and I. E. du Pont de Nemours and Company.

Further consideration of the motion to amend the assignment of errors is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

Denny Martini and Mildred Martini, Individually and Doing Business as Lakeside Cut-Rate Liquor Store,

Petitioners,

813 vs.

Paul Porter, Price Administrator, Office of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in place of Paul Porter, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Schine Chain Theatres, Inc., et al.,

Appellants,

572 vs.

The United States of America.

A petition for rehearing having been filed in this case upon dismissal of the appeal for failure to comply with Rule 12,

Upon consideration thereof, it is ordered by this Court that the petition for rehearing be, and the same is hereby, granted. The judgment of dismissal of December 16, 1946, is vacated and probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this order.

The United States of America,

Appellant,

823 vs.

Paul Evans.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

State of Oklahoma and Champlin Refining Company,

Petitioners,

715 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

793 vs.

Elliott W. Michener.

ON CONSIDERATION of the motion of the respondent for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

793 vs.

Elliott W. Michener.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

M. L. Kennedy, Warden,

Petitioner,

840 vs.

United States, ex rel. John Myron Kulick.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Myrl Alexander as the party petitioner in this case, successor in office of M. L. Kennedy,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Myrl Alexander, Warden,

Petitioner,

840 vs.

United States, ex rel. John Myron Kulick.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Theodore Martin Sunal,

Petitioner,

535 vs.

David R. Large, Superintendent, Federal Prison Camp, Mill Point, W. Va.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit is granted. The case is transferred to the summary docket and assigned for hearing immediately following No. 840.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Anna C. Dickheiser and Edward S. Birn, On Their Own Behalf and On Behalf of All Other Stockholders of The Pennsylvania Railroad Co.,

Petitioners,

435 vs.

The Pennsylvania Railroad Co., M. W. Clement, C. Jared Ingersoll, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julia A. Perrine and Matilda J. Feldman,

Petitioners,

595 vs.

The Pennroad Corporation, a Corporation of the States of Delaware, et al.

On petition for writ of certiorari to the Supreme Court of the State of Delaware.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Delaware, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Matilda J. Feldman,

Petitioner,

603 vs.

Pennroad Corporation, a Corporation of the State of Delaware.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Muey R. Lee, Jr., By His Next Friend L. D. Turberville,

Petitioner,

662 vs.

The State of Alabama.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Corbitt Company, Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

746

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Jackson, an Incompetent Person, by Phil Oldham, Next Friend and Guardian ad litem, Petitioner, vs. The Carter Oil Company, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

747

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Interstate Hotel Company of Nebraska, Petitioner, vs. Remick Music Corporation. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

764

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peony Park,

Petitioner,

765 vs.

M. Witmark & Sons.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Hughes.

Lloyd G. Fox,

Petitioner,

766 vs.

Chappell & Co., Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Hughes.

Interstate Hotel Company of Nebraska,

Petitioner,

767 vs.

Jerome Kern and T. B. Harms Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Hughes.

Edward Vance,
Petitioner,
771 vs.
American Society of Composers, Authors and Publishers, et al.

On petition for writ of certiorari to the District Court of the United States for the Western District of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of the United States for the Western District of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Flexible Coupling Company,
Petitioner,
778 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Slade Realty Corporation,
Petitioner,
779 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. R. Donnelly & Sons Company, Petitioner,
790 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lincoln Stores, Inc., Petitioner,
768 vs.
Nashua Manufacturing Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion that the petition should be granted.

James Martino, Petitioner,
842 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth H. Parker, Petitioner,

853 vs.

State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Davis, Petitioner,

856 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Montiel, Petitioner,

858 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Phillips,

Petitioner,

74, Misc. vs.

Joseph E. Ragen, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Henry Cahoon, Jr.,

Petitioner,

183 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Norman Norman,

Petitioner,

538 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Tressler,

Petitioner,

705 vs.

Ada A. Tressler, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clark & Clark, Charles L. Morris and Robert Brinton Morris, etc.,

Petitioners,

708 vs.

Smith, Kline & French Laboratories.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. H. Tompkins Company, Now Tompkins Motor Lines, Inc.,

Appellant,

681 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted; and that the petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alpine MacGregor,

Petitioner,

28 vs.

Westinghouse Electric & Manufacturing Company.

ON CONSIDERATION of the motion of counsel for respondent to extend the time within which to file a petition for rehearing and for stay of the mandate in this case,

IT IS ORDERED by this Court that the time within which to file a petition for rehearing be, and the same is hereby, extended to February 13, and the mandate is stayed pending disposition of the petition for rehearing.

Per Mr. Chief Justice Vinson.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Whittington, It is ordered that Adam Monroe Byrd, Esquire, of Meridian, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bethuel M. Webster, Jr., It is ordered that Edward L. Rea, Esquire, of New York, State of New York, and John B. Henrich, Jr., Esquire, of Darien, State of Connecticut, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard Paul Schulze, It is ordered that Adolfo Garcia Veve, Esquire, of San Juan, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Preston, It is ordered that Stanfield B. Johnson, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. R. McGuire, It is ordered that Horace Carlyle Lowry, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Stevenson, It is ordered that Morton A. Torke, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerhard P. Van Arkel, It is ordered that David C. Shaw, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Belford Vance Lawson, Jr., It is ordered that Sidney A. Jones, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerhard A. Gesell, It is ordered that Spencer Brownell, Jr., Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Waring, It is ordered that Albert Ellis Radinsky, Esquire, of Denver, State of Colorado, and H. Wayne Unger, Esquire, of Walterboro, State of South Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stuart S. Hall, It is ordered that William A. Kent, Esquire, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marx Leva, It is ordered that Abe Berkowitz, Esquire, of Birmingham, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles Spence Bray, It is ordered that A. T. Fredricks, Esquire, of Boise, State of Idaho, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States,

Petitioner,

94 vs.

N. Y. Rayon Importing Co., Inc. (#2) and Alfred L. Rose, Norman S. Goetz, et al.; and

N. Y. Rayon Importing Co., Inc. (#2) and Alfred L. Rose, Norman S. Goetz, et al.,

Petitioners,

96 vs.

The United States.

On writs of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment in No. 94, be, and the same is hereby, reversed to the extent that it includes an award of interest. The cross writ in No. 96 is dismissed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Court of Claims for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Transparent-Wrap Machine Corporation, Petitioner, vs. Stokes & Smith Company. — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

208

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black, Mr. Justice Rutledge, Mr. Justice Burton, and Mr. Justice Murphy.

Newton W. Ellis, Petitioner, vs. Union Pacific Railroad Company. — On writ of certiorari to the Supreme Court of the State of Nebraska.

320

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Insurance Group Committee, Reorganization Committee, Guaranty Trust Company of New York, Trustee, et al., Petitioners, vs. The Denver and Rio Grande Western Railroad Company, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

690

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The order of the Circuit Judge directing a stay of the consummation of the reorganization plan is vacated and the order of the District Judge of October 30, 1946, denying a petition for re-examination of the plan is affirmed, petitioners, Insurance Group Committee, et al., to recover their costs in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Colorado.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter.

Julius A. Krug, Secretary of the Interior, et al.,

Petitioners,

97 vs.

Santa Fe Pacific Railroad Company; and

On writs of certiorari to the United States Court of Appeals for the District of Columbia.

Julius A. Krug, Secretary of the Interior, et al.,

Petitioners,

98 vs.

Santa Fe Pacific Railroad Company.

THESE CAUSES came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in these causes, be, and the same is hereby, reversed; and that these causes, be, and the same are hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Edgar S. Albrecht and Geraldine Albrecht, His Wife, et al.,

Petitioners,

vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

148

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

Edward J. Linnenbringer,

Petitioner,

vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

149

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

Dennis B. Pitman and May Dell Pitman, Petitioners, vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

150

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

A. Ray Oliver, Executor of the Estate of Lola Castlio Oliver, Deceased, et al., Petitioners, vs. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

151

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

S. W. S. S. Realty and Investment Company,

Petitioner,

155 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

Rene De Meerleer,

Petitioner,

140 vs.

The People of the State of Michigan.

On writ of certiorari to the Supreme Court of the State of Michigan.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following order of the Court:

Horsman Dolls, Inc.,
Appellant,
vs.
State of New Jersey Unemployment Compensation Commission.

Appeal from the Court of Errors and Appeals of the State of New Jersey.

839

THIS CAUSE came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In re Disbarment of Nathan A. Dobbins.
No. ___

O R D E R

It having been reported to the Court that Nathan A. Dobbins, of Washington, D. C., has been disbarred from the practice of the law by the District Court of the United States for the District of Columbia;

IT IS ORDERED that the said Nathan A. Dobbins, be, and he is hereby, suspended from the practice of the law in this Court, and that a rule issue, returnable within forty (40) days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court.

Per Mr. Chief Justice Vinson.

Ex parte Harry Meyers,

Petitioner.

97, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Roy E. Eaton,

Petitioner.

98, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Joe J. Evans,

Petitioner.

99, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Frank X. Delisle,

Petitioner.

100, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Estate of Bayard Dominick, Deceased, Alice Hoyt Dominick and Gayer G. Dominick, Executors,

Petitioners,

vs.

Commissioner of Internal Revenue.

73

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that counsel for the respective parties have filed a stipulation to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said stipulation, it is ordered by this Court that the petition for writ of certiorari herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

vs.

Ivan M. Elchibegoff.

442

ON CONSIDERATION of the motion of respondent to enlarge the issues in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

vs.

Ivan M. Elchibegoff.

442

On writ of certiorari to the Court of Claims.

It appearing to the Court that counsel for the United States has filed a motion to dismiss the writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

149 Madison Avenue Corporation and
Williams & Co., Inc.,

Petitioners,

497 vs.

Frank Asselta, et al.

ON CONSIDERATION of the motion for leave to file brief of 128 West 50th St. Corporation and others as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Federal Power Commission, et al.,

Petitioners,

543 vs.

Arkansas Power & Light Company.

ON CONSIDERATION of the motion of the State of Arkansas to transfer this case from the summary docket and for leave to participate in the oral argument,

IT IS ORDERED by this Court that the motion to transfer the case from the summary docket be, and the same is hereby, denied. Thirty minutes time is allowed the State of Arkansas within which to present oral argument as amicus curiae.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

795 vs.

Elliott M. Michener.

It is ordered that Roger Kent, Esquire, of San Francisco, California, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

Per Mr. Chief Justice Vinson.

Ira J. McCullough, Order allowing certiorari.

Petitioner,

755 vs.

Kammerer Corporation and Baash-Ross Tool Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, limited to the first question presented by the petition for the writ. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Nelson Foster and George Payne,

Petitioners,

540 vs.

The People of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Nelson Foster and George Payne, Order allowing certiorari.

Petitioner,

540 vs.

The People of the State of Illinois.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Gerald Axelrod, et al., Constituting a Group of Individual Owners of the 4½% Convertible Gold Bonds of the Chicago, Rock Island and Pacific Railway Company, Debtor,

Petitioners,

791 vs.

Joseph B. Fleming and Aaron Colnon, as Trustees of the Chicago, Rock Island and Pacific Railway Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The General Metals Powder Company,

Petitioner,

792 vs.

The S. K. Wellman Company and S. K. Wellman.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

G. J. Lucchese, et al.,

Petitioners,

814 vs.

Gus B. Mauermann.

On petition for writ of certiorari to the Court of Civil Appeals, 4th Supreme Judicial District, State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals, 4th Supreme Judicial District, State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Estate of Chicago, Rock Island and Pacific Railway Company,

Petitioners,

831 vs.

Oklahoma Tax Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marion M. Amato, Individually and Doing Business as M. Amato & Son,

Petitioner,

833 vs.

Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Pennsylvania Railroad Company,

Petitioner,

838 vs.

William E. McCarthy, Administrator of the Estate of John J. McCarthy, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Florence Marie Townsend, Nee Barnett, Rita Urquhart, Nee Richard, et al.,

Petitioners,

467 vs.

The First National Bank and Trust Company, and H. H. Ogden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Patterson,

Petitioner,

816 vs.

Virginia Electric and Power Company.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael Basile,

Petitioner,

818 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Albany County, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the County Court of Albany County, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julia Camp Brummel,

Petitioner,

vs.

L. F. Dietz and Associates, Inc., a New York Corporation, et al.

On petition for writ of certiorari to the Appellate Division, Supreme Court, State of New York.

826

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division, Supreme Court, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerald David Hudson,

Petitioner,

vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

887

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion that the petition for certiorari should be granted.

Magnus Olson,

Petitioner,

vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

628

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joel Thomas Pierce,

Petitioner,

739 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Anderson,

Petitioner,

761 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Custer M. Coyle,

Petitioner,

801 vs.

Robert A. Heinze, Warden of the California State Prison at Folsom, Represa, California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John McCann, Petitioner,

803 vs.

People of the State of New York.

On petition for writ of certiorari to the County Court, Bronx County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Leon Gibson, Petitioner,

808 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Barton Butz, Petitioner,

822 vs.

Edward M. Stubblefield, Superintendent, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bruno Austin, Alex Shapiro, Morris Jacobs and David Sinnenberg,

Petitioners,

329 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Robert Hadley,

Petitioner,

55 vs.

The United States.

On petition for writ of certiorari to the Court of Claims.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The People of the State of New York ex rel. Vincent Mammiani,

Petitioner,

944 vs.

. Vernel Jackson, as Warden of Clinton rison at Dannemora, New York.

On petition for writ of certiorari to the County Court, Clinton County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis A. Pifer,

Petitioner,

864 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Adams,

Petitioner,

873 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mike Parker,

Petitioner,

864 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, Circuit Court of Will County, and Supreme Court, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Furman,

Petitioner,

vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry W. Allard,

Petitioner,

vs.

The State of New York.

On petition for writ of certiorari to the County Court of Schenectady County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Witt,

Petitioner,

vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Kendall County, Circuit Court of Will County, and Supreme Court, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold J. Steinhardt,
Petitioner,
vs.
People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

808

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Reynolds,
Petitioner,
vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

919

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman Piskorz,
Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

920

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Van Pelt,

Petitioner,

921 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Finley,

Petitioner,

913 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte James Finley,

Petitioner.

101, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

40 vs.

Iska W. Carmack.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

53 vs.

Paul Davis Sheridan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

International Harvester Company,

Appellant,

75 vs.

Tax Commissioner of Ohio.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo H. Steele,

Petitioner,

79 vs.

General Mills, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Livingston Taylor,

Petitioner,

180 vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sid W. Richardson, et al.,

Petitioners,

268 vs.

Keith Kelly, Receiver.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

August Faucetta,

Petitioner,

511 vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Northwestern Mutual Life Insurance Company,

Petitioner,

653 vs.

T. E. Suttles, as Tax Collector of Fulton County, Georgia, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Borg-Warner Corporation and David M. Gamble,

Petitioners,

700 vs.

George I. Goodwin and John F. Dawkus

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John R. Johnson,

Petitioner,

704 vs.

Nathan Mayo, as State Prison Custodian.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chronicle & Gazette Publishing Co., Inc.,

Appellant,

780 vs.

The Attorney General of the State of New Hampshire, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

800 vs.

Thomas Balogh.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

The United States of America, ex rel.
Elmer Davis,

Petitioner,

167 vs.

Joseph H. Hagen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted; and that the petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Birmeli Dingman,

Petitioner,

542 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing and of the second petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted; and that the second petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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A. M. Cone,

Petitioner,

184 vs.

West Virginia Pulp and Paper Co.

Argument commenced by Mr. H. Wayne Unger for the petitioner, continued by Mr. Christie Benet and Mr. Charles W. Waring for the respondent, and concluded by Mr. James P. Mozingo for the petitioner, pro hac vice, by special leave of Court.

The United States of America,

Appellant,

89 vs.

National Lead Company, Titan Company, Inc., and E. I. du Pont de Nemours and Company;

National Lead Company and Titan Company, Inc.,

Appellants,

90 vs.

The United States of America; and

E. I. du Pont de Nemours and Company,

Appellant,

91 vs.

The United States of America.

Five and one-half hours allowed for oral argument. Argument commenced by Mr. William C. Dixon and continued by Assistant Attorney General Berge for the United States.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, FEBRUARY 4, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Forrest C. Donnell, It is ordered that William C. Connett IV, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that J. Frank Wilson, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Dwight Whitney, It is ordered that John Logan O'Donnell, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse P. Wolcott, It is ordered that Stephen A. Graham, Esquire, of Port Huron, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert L. Cox, It is ordered that Allyn Capron Donaldson, Esquire, of Glen Cove, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leon A. Ransom, It is ordered that Austin L. Pickling, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carleton U. Edwards II, It is ordered that E. L. Koepenick, Esquire, of [illegible], District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Foley, It is ordered that Joseph Hawley Murphy, Esquire, of Syracuse, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter J. Connolly, It is ordered that Joseph F. Keeton, Esquire, of Fairport, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles H. Houston, It is ordered that Euclid Louis Taylor, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David London, It is ordered that Samuel Mermin, Esquire, of Washington, District of Columbia, and Hyman Smollar, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour L. Coblens, It is ordered that Harry C. Izard, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Jewitt Vanech, It is ordered that Edward A. Tamm, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that William Cyril Burns, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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United States of America,

Appellant,

vs.

National Lead Company, Titan Company, Inc., and E. I. du Pont de Nemours and Company;

National Lead Company and Titan Company, Inc.,

Appellants,

90 vs.

The United States of America; and

E. I. du Pont de Nemours and Company,

Appellant,

91 vs.

The United States of America.

Argument continued by Mr. Assistant Attorney General Berge for the United States, by Mr. Bethuel M. Webster for National Lead Company and Titan Company, and by Mr. William Dwight Whitney for E. I. du Pont de Nemours and Company.

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Proclamation being made, the Court

WEDNESDAY, FEBRUARY 5, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,

Hugo L. Black,

Stanley Reed,

Felix Frankfurter,

William O. Douglas,

Robert H. Jackson,

Wiley Rutledge,

Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. A. Grace, It is ordered that Charles A. O'Niell, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur B. Hanson, It is ordered that Arthur L. Stern, Esquire, of Rochester, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving Sweet, It is ordered that Samuel Sweet, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Austin F. Canfield, It is ordered that Helen V. Ryan, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Thomas A. Tappy, It is ordered that James H. Dyson, Esquire, of Sanford, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

90 vs.

National Lead Company, Titan Company, Inc., and E. I. du Pont de Nemours and Company;

National Lead Company and Titan Company, Inc.,

Appellants,

90 vs.

The United States of America; and

E. I. du Pont de Nemours and Company,

Appellant,

91 vs.

The United States of America.

Argument continued by Mr. William Dwight Whitney for E. I. du Pont de Nemours and Company and concluded by Mr. William C. Dixon for the United States.

People of the State of New York ex rel. Rose Halvey,

Petitioner,

384 vs.

John F. Halvey, Custodian of John Arthur Halvey.

Argued by Mr. B. E. Hendricks for the petitioner and by Mr. Samuel Shapiro for the respondent.

United States Department of Agriculture,
Emergency Crop and Feed Loans,

Petitioner,

417 vs.

George G. Remund, as Administrator of
the Estate of Wilhelm Buttke, Deceased.

Argued by Mr. Paul A. Sweeney for the petitioner and submitted by Mr. Dwight Campbell for the respondent.

Marion B. Kotch, John L. Richards,
Adolph Clark, et al.,

Appellants,

291 vs.

Board of River Port Pilot Commissioners
for the Port of New Orleans, et al.

Argument commenced by Mr. Charles A. O'Niell, Jr., and continued by Mr. M. A. Grace for the appellants and by Mr. Arthur A. Moreno for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, FEBRUARY 6, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Rufus S. Garrett, Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving H. Jurow, It is ordered that Howard S. Levie, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur Mellen, It is ordered that Victor L. Lewis, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Bell, It is ordered that James P. Weiler, Esquire, of Houston, State of Texas, and Joseph P. Weiler, Esquire, of Dallas, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Robert J. Swem,

Petitioner,

880 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file brief in this case,

IT IS ORDERED by this Court that the time within which to file brief for respondent, be, and the same is hereby, extended to March 3, 1947.

Mr. Chief Justice Vinson.

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Marion B. Kotch, John L. Richards, Adolph Clark, et al.,

Appellants,

291 vs.

Board of River Port Pilot Commissioners for the Port of New Orleans, et al.

Argument continued by Mr. Arthur A. Maurer for the appellees and concluded by Mr. M. A. Grace for the appellants.

John Myers,

Petitioner,

367 vs.

Reading Company.

Leave granted Mr. B. Nathaniel Richter to appear and present oral argument for the petitioner, pro hac vice, on motion of Mr. Henry R. Heebner in that behalf. Argued by Mr. B. Nathaniel Richter for the petitioner, pro hac vice, by special leave of Court, and by Mr. Henry R. Heebner for the respondent.

Mexican Light & Power Company, Ltd.,

Petitioner,

404 vs.

The Texas Mexican Railway Company.

Argued by Mr. Charles W. Bell for the petitioner and by Mr. John . Mullinton for the respondent.

The Gospel Army, a Corporation,

Appellant,

103 vs.

The City of Los Angeles, Board of Social Service Commissioners, Department of Social Service, et al.; and

The Rescue Army, a Corporation, and Charles T. Murdock,

Appellants,

574 vs.

The Municipal Court of the City of Los Angeles.

Argument commenced by Mr. Robert M. Wallis for the appellants.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Pursuant to adjournment the Court met at the [illegible].

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. A. Van Orsdel, It is ordered that Francis L. Heaton, Esquire, of Central City, State of Nebraska, and Patrick S. Heaton, Esquire, of Central City, State of Nebraska, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Wilson, It is ordered that Nicholas R. Voorhis, Esquire, of Winchester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ben Frank Saye, It is ordered that Paul Sandmeyer, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Carmichael, It is ordered that Claud Dorman Scruggs, Esquire, of Guntersville, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gergory A. Harrison, It is ordered that Moses Lasky, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leon A. Ransom, It is ordered that James Garfield Lemon, Jr., Esquire, of Chicago, State of Illinois, and Harold McAfee Tyler, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Effinger Smoot, It is ordered that Glen O. Smith, Esquire, of Cleveland, State of Ohio, and Melville Reese Dill, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Geoffrey Creyke, Jr., It is ordered that Charles Edwin Wallington, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and H. Clay Kauffman, Esquire, of Lancaster, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. O'Mahony, It is ordered that T. Emmett McKenzie, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Gospel Army, a Corporation,

Appellant,

103 vs.

The City of Los Angeles, Board of
Social Service Commissioners,
Department of Social Service, et al.; and

The Rescue Army, a Corporation and
Charles T. Murdock,

Appellants,

574 vs.

The Municipal Court of the City of
Los Angeles.

Argument continued by Mr. Robert M. Wallis for the appellants, by Mr. John L. Bland for the appellees, and concluded by Mr. Robert M. Wallis for the appellants.

United States National Bank in Johnstown
and First National Bank of South York,

Petitioners,

371 vs.

Chase National Bank of the City of
New York and Lester Larimer, Trustee.

Argued by Mr. Robert I. Rudolph for the petitioners and by Mr. William Dean Embree for the respondents.

L. Metcalfe Walling, Administrator of the
Wage and Hour Division, United States
Department of Labor,

Petitioner,

74 vs.

Halliburton Oil Well Cementing Company.

Argument commenced by Mr. Morton Liftin for the petitioner and continued by Mr. Ben F. Saye for the respondent.

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Proclamation being made the Court is adjourned until Monday, next, at 12 o'clock.

MONDAY, FEBRUARY 10, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that James O. Braly, Esquire, of Oklahoma City, State of Oklahoma, and Glen D. Johnson, Esquire, of Okemah, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that Mahlon L. Walters, Esquire, of Jefferson, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Russell T. Bradford, Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman A. Greenberg, It is ordered that Harry Rosenberg, Esquire, of New York, State of New York, and Albert H. Treiman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray M. Dougherty, It is ordered that M. A. Beaman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William T. Weigester, It is ordered that Henry B. Kellog, Esquire, of Binghamton, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Shelby Fitze, It is ordered that Maurice L. Davis, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney And Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cleveland Hedrick, Jr., It is ordered that William Paul Shelley, Jr., Esquire, of Tallahassee, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that Lofton L. Tatum, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond Minor Hudson, Jr., It is ordered that Selden Pennell Waldo, Esquire, of Gainesville, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ben Frank Saye, It is ordered that Robert Orville Brown, Esquire, of Duncan, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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United Public Workers of America (C.I.O.), George P. Poole, et al., Appellants, vs. [illegible]. Mitchell, Frances Perkins and Arthur S. Flemming. Appeal from the District Court of the United States for the District of Columbia.

20

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Reed.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this case.

Mr. Justice Rutledge dissents as to Poole for the reasons stated by Mr. Justice Black and does not pass upon the constitutional questions presented by the other appellants.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Black.

Opinion by Mr. Justice Douglas dissenting in part.

State of Oklahoma, Petitioner, vs. United States Civil Service Commission. On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

84

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Oklahoma.

Per Mr. Justice Reed.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this case.

Dissenting: Mr. Justice Black and Mr. Justice Rutledge.

Concurring opinion by Mr. Justice Frankfurter.

Arch R. Everson,

Appellant,

vs.

Board of Education of the Township of Ewing, in the County of Mercer, et al.

Appeal from the Court of Errors and Appeals of the State of New Jersey.

52

THIS CAUSE came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Charles B. Morris,

Petitioner,

vs.

Paul F. Jones, Director of Insurance of the State of Illinois.

62

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file petition for rehearing and to stay the issuance of the mandate in this case,

IT IS ORDERED by this Court that the time within which to file a petition for rehearing be, and the same is hereby, extended to February 24, and the mandate is stayed pending disposition of the petition for rehearing.

Per Mr. Chief Justice Vinson.

Insurance Group Committee, Reorganization Committee, Guaranty Trust Company of New York, Trustee, et al.,

Petitioners,

690 vs.

The Denver and Rio Grande Western Railroad Company, et al.

ON CONSIDERATION of the motion of counsel for the petitioners for immediate issuance of the mandate in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Insurance Group Committee, Reorganization Committee, Guaranty Trust Company of New York, Trustee, et al.,

Petitioners,

690 vs.

The Denver and Rio Grande Western Railroad Company, et al.

ON CONSIDERATION of the motion of counsel for the respondents to extend the time for issuance of the mandate in this case for a period of 35 days after the expiration of the 25 day period prescribed by the Rules,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harrison Williams, Clifford F. Stone, Sidney J. Weinberg, et al., Order allowing certiorari.

Petitioners,

550 vs.

Carl J. Austrian and Robert G. Butcher, as Trustees of Central States Electric Corporation.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Interstate Natural Gas Company, Incorporated,

Petitioner,

733 vs.

Federal Power Commission, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

A petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the petition for rehearing be, and the same is hereby, granted.

It is further ordered that the order of January 6, 1947, denying certiorari, be, and the same is hereby, vacated; and that the petition for writ of certiorari herein be, and the same is hereby, granted limited to Questions (1), (2), and (3) presented by the petition for the writ.

It is further ordered that two duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to said writ.

Per Mr. Chief Justice Vinson.

Kurt Mertig,

Petitioner,

804 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court, Appellate Division, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court, Appellate Division, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest Elmhurst,

Petitioner,

805 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court, Appellate Division, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court, Appellate Division, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible],

Petitioner,

vs.

The Municipal Court of the City of [illegible], et al.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

812 vs.

Phelps Dodge Mercantile Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gordon M. Mather,

Petitioner,

852 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dotweiler Bros., Inc.,

Petitioner,

855 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to

ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Osmond Y. Ladd and Paul H. Todd,
Petitioners,
825 vs.
Bartholomew A. Brickley, Trustee of International Hydro Electric System, Securities & Exchange Commission, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice [illegible] took no part in the consideration or decision of this application.

Ella H. Tinkoff, Debtor, and Payson Tinkoff, Claimant,
Petitioners,
832 vs.
Ben Gold, Trustee, Louis Cohen, Attorney for Trustee, et al.

ON CONSIDERATION of the suggestion of a diminution of the record and motion for writ of certiorari in that relation,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ella H. Tinkoff, Debtor, and Paysoff Tinkoff, Claimant,

Petitioners,

42 vs.

Ben Gold, Trustee, Louis Cohen, Attorney for Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carmine Pizza,

Petitioner;

43 vs.

John F. Foster, as Warden of Auburn State Prison, etc.

ON CONSIDERATION of the motion to proceed on the typewritten papers in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Carmine Pizza,

Petitioner,

43 vs.

John F. Foster, as Warden of Auburn State Prison, Auburn, New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York; It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Faubert,

Petitioner,

870 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Herman Faubert,

Petitioner,

870 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Naval,

Petitioner,

857 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Kaval,

Petitioner,

vs.

Joseph H. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Louisiana, ex rel. Willie Francis,

Petitioner,

vs.

R. L. Resweber, Sheriff of the Parish of St. Martin, Louisiana, et al.

ORDER.

It is ordered by this Court that the order dated June 10, 1946, staying the execution and enforcement of the sentence of death imposed upon the petitioner in this case be, and the same is hereby, vacated.

Per Mr. Chief Justice Vinson.

State of Louisiana, ex rel. Willie Francis,

Petitioner,

vs.

R. L. Resweber, Sheriff of the Parish of St. Martin, Louisiana, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Henry Cahoon, Jr.,

Petitioner,

183 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing and of the second petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted; and that the second petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small,

Petitioner,

706 vs.

Walter B. Martin, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin B. H. Tower, Jr.,

Petitioner,

717 vs.

Water Hammer Arrester Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, February 17, until Monday, March 3, next.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

vs.

Halliburton Oil Well Cementing Company.

Argument continued by Mr. Ben F. Saye and Mr. Paul Sandmeyer for the respondent and concluded by Mr. Morton Liftin for the petitioner.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

vs.

The General Industries Company.

Argument commenced by Mr. George M. Szabad for the petitioner and continued by Mr. Glen O. Smith for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

MONDAY, [illegible] 4, 1951.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Donnalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Roy A. Fulcher, It is ordered that John Locke Green, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

No. —. In the matter of John Locke Green. The request by John Locke Green, of Arlington, Virginia, that his name be withdrawn as a member of the Bar of this Court and be stricken from the rolls is granted and it is ordered that his name be stricken from the roll of attorneys admitted to practice in this Court. MONDAY, JUNE 4, 1951

On motion first made to the Court in this behalf by Mr. [illegible] Richards, It is ordered that Blaine E. Capehart, Esquire, of Camden, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter H. Chumbris, It is ordered that Dwight Allen Coddington, Esquire, of San Anselmo, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald T. Ruby, It is ordered that Robert Barnes Young, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Kent Van Allen, It is ordered that Russell G. Dunmore, Jr., Esquire, of Utica, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Muel D. Belnap, It is ordered that Robert N. Burchmore, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marx Leva, It is ordered that Edwin L. Kahn, Esquire, of Charlotte, State of North Carolina, and Norman A. Sugerman, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene E. Ditto, It is ordered that Edward A. Martin, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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L. Metcalfe Walling, Administrator
of the Wage and Hour Division,
United States Department of Labor,

Petitioner,

564 vs.

The General Industries Company.

Argument continued by Mr. Glen O. Smith for the respondent and concluded by Mr. George M. Szabad for the petitioner. Leave granted each party to file an additional brief.

149 Madison Avenue Corp. and Williams & Co., Inc.,

Petitioners,

497 vs.

Frank Asselta, Camilo Del Rio, Joseph McArdle, et al.

Argued by Mr. Robert R. Bruce for the petitioner and by Mr. Wilbur Duberstein for the respondent.

Emory S. Land (Chairman, United States Maritime Commission), et al.,

Petitioners,

207 vs.

R. Stanley Dollar, Dollar Steamship Line, The J. Harold Dollar Estates Company, et al.

Argument commenced by Mr. Paul A. Sweeney for the petitioners and continued by Mr. Gregory A. Harrison for the respondents and by Mr. Paul A. Sweeney for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 10 o'clock.

MONDAY, FEBRUARY 2, 1942.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Warren G. Magnuson, It is ordered that Maurice Kadish, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dwight L. Rogers, It is ordered that Walter B. Venters, Esquire, of Opelika, State of Alabama, and Eugene Marcus Baynes, Esquire, of West Palm Beach, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde W. Key, It is ordered that Erma Griffith Greenwood, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. William Merrick Parker, It is ordered that Richard T. Davis, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible], It is ordered that Joseph M. [illegible], Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair Engle, It is ordered that Hugh Stuart Center, Esquire, of San Jose, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Emory S. Land (Chairman, United States Maritime Commission), et al.,

Petitioners,

207 vs.

R. Stanley Dollar, Dollar Steamship Line, The J. Harold Dollar Estates Company, et al.

Argument concluded by Mr. Paul A. [illegible] for the petitioners.

The United States of America,

Petitioner,

429 vs.

Leslie Fullard-Leo, Ellen Fullard-Leo, et al.

Argued by Mr. Frederick Bernays Wiener for the petitioner and by Mr. A. G. M. Robertson for the respondents.

The Interstate Commerce Commission,

Appellant,

72 vs.

A. L. Mechling, Doing Business Under the Trade Name and Style of A. L. Mechling Barge Line, et al.

Three and one-half hours allowed for argument. Argument commenced by Mr. Daniel M. Kunkel for the appellant and continued by Mr. David O. Mathews for the appellees, the United States and Secretary of Agriculture.

MONDAY, FEBRUARY 13, 1947.

At ten o'clock a.m. the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert E. May, It is ordered that Max W. Ball, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Hobbs, It is ordered that Thomas G. Gayle, Esquire, of Selma, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seldon E. Bernstein, It is ordered that Lewis Jacobs, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Joseph C. Glazer, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nelson Thomas, It is ordered that Wilbert T. Burnette, Esquire, of Lynchburg, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurman W. Arnold, It is ordered that George F. Fisher, Jr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles B. McInnis, It is ordered that Ernest M. Callomon, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Interstate Commerce Commission,

Appellant,

72 vs.

A. L. Mechling, Doing Business Under the Trade Name and Style of A. L. Mechling Barge Line, et al.

Argument continued by Mr. David O. Mathews for the appellees, The United States and Secretary of Agriculture; by Mr. Edward B. Hayes for the appellee, A. L. Mechling, etc.; by Mr. Nuel D. Belnap for the appellee, Inland Waterways Corporation; and concluded by Mr. Daniel H. Hunkel for the appellant.

Aetna Casualty & Surety Company and J. A. Jones Construction Company,

Petitioners,

432 vs.

Mrs. Fannie M. Flowers.

Argued by Mr. Clyde M. Key for the petitioners and submitted by Mrs. Fannie M. Flowers, pro se.

[illegible] F. Rice, Joseph J. Rice, et al.,

Petitioners,

vs.

Great Lakes Elevator Corporation, et al.; and

Illinois Commerce Commission, et al.,

Petitioners,

472 vs.

Great Lakes Elevator Corporation, et al.

Argument commenced by Mr. William C. Wines for the petitioners in No. 472 and continued by Mr. Lee A. Freeman for the petitioners in No. 470 and by Mr. Leo F. Tierney for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Harold H. Burton,
Associate Justices.

Thomas Brahalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Norman T. West, It is ordered that Chester H. Gray, Esquire, of Washington, District of Columbia, and Henry Eaton Wixon, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Ristine, It is ordered that Edward E. Plusdrak, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Harvey, It is ordered that J. Russell Maire, Esquire, of Newport, State of Rhode Island, and William Ward Harvey, Esquire, of Newport, State of Rhode Island, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Burke, It is ordered that Alexander T. Teitz, Esquire, of Newport, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel [illegible]in, It is ordered that William B. Sleigh, Jr., Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Cameron Burton, It is ordered that Linwood E. Lagerson, Esquire, of Washington, District of Columbia; John B. Calhoun, Esquire, of Washington, District of Columbia; and Frederick G. Macdonald, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick O. Roth, It is ordered that I. Winston Mezger, Esquire, of Baltimore, State of Maryland, and H. Allen Mezger, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas E. Rhodes, It is ordered that William P. Connally, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. L. Woodruff, It is ordered that Alton S. Bradford, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. MacMaster, It is ordered that Leon J. Libeu, Esquire, of Berkeley, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph C. Glazer, It is ordered that William E. Dunn, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Daniel F. Rice, Joseph J. Rice, et al.,

Petitioners.

470 vs.

Great Lakes Elevator Corporation, et al.; and

Illinois Commerce Commission, et al.,

Petitioners,

472 vs.

Great Lakes Elevator Corporation, et al.

Argument continued by Mr. Leo F. Tierney for the respondents and concluded by Mr. Lee A. Freeman for the petitioners in No. 470.

Daniel F. Rice, Joseph J. Rice, et al.,

Petitioners,

471 vs.

Board of Trade of the City of Chicago, a Corporation; and

Illinois Commerce Commission et al.,

Petitioners,

473 vs.

Board of Trade of the City of Chicago, a Corporation.

Argued by Mr. Lee A. Freeman for the petitioners in No. 471, by Mr. William C. Wines for the petitioners in No. 473, and by Mr. Howard Ellis for the respondent.

Alfred Testa and Philip B. Fleming, Temporary Controls Administrator,

Petitioners,

431 vs.

Harry Katt.

Argued by Acting Solicitor General Washington for the petitioners and by Mr. Paul M. Segal for the respondent.

[illegible]. [illegible]. Adams, alias Charlie Adams,

Petitioner,

vs.

[illegible] United States of America.

Argued by Mr. Thomas G. Gayle for the petitioner and by Mr. [illegible] M. Bernstein for the respondent.

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Proclamation being made the Court is adjourned until Monday, February 17, next, at 12 o'clock.

MONDAY, FEBRUARY 17, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton, Associate Justices.

Thomas Brnalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward J. Devitt, It is ordered that George E. MacKinnon, Esquire, of Minneapolis, State of Minnesota, and Robert K. Dower, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Conn, It is ordered that Joseph D. Malloy, Esquire, of Washington, District of Columbia, and John B. Mayo, Esquire, of Colonial Beach, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Claytor, Jr., It is ordered that William Burke Williamson, Esquire, of Chicago, State of Illinois, and Jack A. Williamson, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Mulroney, It is ordered that Herbert Pittle, Esquire, of Washington, District of Columbia, and Floyd L. Franco, Esquire, of Washington, District of

Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley Mosk, It is ordered that David Goldman, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Glen A. Wilkinson, It is ordered that Harold Cline, Esquire, of Milford, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert C. Pillon, It is ordered that Frank J. Meistrell, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Cleveland Hedrick, Jr., It is ordered that William J. DeHoff, Esquire, of Jacksonville, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Ehrlich, It is ordered that Ernest E. Roberts, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris C. Bakke, It is ordered that Felix L. O'Neill, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Dr. Furman Angel,

Petitioner,

31 vs.

W. H. Bullington.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of North Carolina for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Jackson joins.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Jackson joins.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

336 vs.

Portland Terminal Company.

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Maine.

Per Mr. Justice Black.

Concurring: Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Jackson.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

vs.

The Nashville, Chattanooga & St. Louis Railway.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

335

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Middle District of Tennessee.

Per Mr. Justice Black.

Concurring: Mr. Justice Frankfurter.

Zachary Rozza,

Petitioner,

vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

100

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The judgment as to count one is affirmed. The judgment as to counts two and three is reversed and the case is remanded to the District Court of the United States for the District of New Jersey for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Opinion by Mr. Justice Douglas, in which Mr. Justice Murphy and Mr. Justice Rutledge join, dissenting as to the affirmance of the judgment on count one.

The Confederated Bands of Ute Indians, Petitioners, vs. The United States. On writ of certiorari to the Court of Claims.

141

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Frankfurter and Mr. Justice Douglas join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

State of Illinois, Complainant, vs. State of Indiana, City of East Chicago, Fruit Growers Express Company, et al.

9, Original

The Special Report of the Special Master as to the Shell Oil Company, Incorporated, and The Texas Company in this cause is approved.

It appearing to the Court that counsel for the State of Illinois, State of Indiana, City of East Chicago, City of Hammond, and Shell Oil Company, Incorporated, and counsel for the State of Illinois, State of Indiana, City of East Chicago, and The Texas Company, have entered into stipulations providing for the dismissal of the amended bill of complaint in this cause as to Shell Oil Company, Inc., and The Texas Company;

Therefore, pursuant to said stipulations, it is ordered by this Court that the amended bill of complaint herein as to Shell Oil Company, Incorporated, and The Texas Company, be, and the same is hereby, dismissed, costs to be taxed hereafter in accordance with the recommendations contained in the Special Report of the Master filed November 7, 1946.

Per Mr. Chief Justice Vinson.

The State of Illinois,

Complainant,

9, Original vs.

The State of Indiana, City of East Chicago, Fruit Growers Express Company, et al.

O R D E R

The Interim Report of the Special Master, dated September 7, 1946, is approved. The Court finds that the course of procedure set forth in the Interim Report, which the Special Master has followed of entering orders staying further proceedings as to particular defendants upon stipulations received in evidence which in the opinion of the Special Master justify such course, is within the discretion of the Special Master. The Court further finds that the steps set forth in the recommendations of the Special Master in the Interim Report numbered one, two, three, four, five, six, and seven as to procedure for the future disposition of the case, are within the discretion of the Special Master and are approved as appropriate under the special circumstances of this case.

The Court therefore orders and directs the Special Master to continue the proceedings in accordance with said recommendations.

The Court further orders that the recommendation of the Special Master as to the apportionment of costs be adopted and costs to this date shall be taxed as recommended in the Interim Report.

The objections of the Fruit Growers Express Company to the proposed apportionment of costs are overruled.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

Three hours is allotted each side for the argument of this case.

Per Mr. Chief Justice Vinson.

Ex parte Joseph Poresky,

Petitioner.

102, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Dennis B. Huey,

Petitioner.

103, Misc.

ON CONSIDERATION of the application submitted herein by Dennis B. Huey,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

934 vs.

Uebersee Finanz-Korporation, A. G.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Silesian American Corporation, Debtor, and Silesian Holding Company,

Petitioners,

346 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

A petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the petition for rehearing be, and the same is hereby, granted.

It is further ordered that the order entered October 14, 1946, denying certiorari be, and the same is hereby, vacated; and that the petition for writ of certiorari herein be, and the same is hereby, granted. The case is assigned for argument immediately following No. 934, Clark, Attorney General vs. Uebersee Finanz-Korporation, A. G.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Silesian American Corporation, Debtor, and Silesian Holding Company,

Petitioners,

346 vs.

James E. Markham, Alien Property Custodian.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute as the party respondent herein Tom C. Clark, Attorney General, successor to the Alien Property Custodian,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted, and the cause is so continued and maintained.

Per Mr. Chief Justice Hughes.

Vacuum Can Company, a Corporation, and Burton O. Smith,

Petitioners,

789 vs.

Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Hughes.

Jacob Spevak, Doing Business as J. Spevak and Company and George Lerian,

Petitioners,

849 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Hughes.

Amy H. Varnedoe,

Petitioner,

851 vs.

Marion H. Allen, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Hughes.

A. L. Andrews,

Petitioner,

vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Valco Mortgage Company, Inc., John Warren and Marie B. Warren,

Petitioners,

vs.

536 Broad Street Corporation.

On petition for writ of certiorari to the Court of Errors and Appeals, State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Errors and Appeals, State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

G. Harold Earle and Stewart E. Earle, Former Executors of the Estate of Emma Earle, Deceased, and Residuary Beneficiaries of Said Estate,

Petitioners,

vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kingdon De Normand, Petitioner,

725 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael J. Quinn, Petitioner,

741 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewright Baxter, Petitioner,

949 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald M. Turner, Petitioner,

951 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible], Petitioner,

952 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Bryarly, Petitioner,

957 vs.

State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the United States of America, ex rel. Marshall Gollehur,

Petitioner,

959 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman J. Marcinkowski,

Petitioner,

962 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court, Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William G. Hayes,

Petitioner,

963 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court and Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible],

Petitioner,

965 vs.

Ralph H. Benson, Warden, State Prison of Southern Michigan.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Greco,

Petitioner,

977 vs.

State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morgan Easter,

Petitioner,

978 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court, Circuit Court of Franklin County, and Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Von Scherer,

Petitioner,

979 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John E. Gawron,

Petitioner,

980 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Ross,

Petitioner,

981 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible],

Petitioner,

vs.

[illegible] Electric & Manufacturing Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Katzinger Company,

Petitioner,

70 and 71 vs.

Chicago Metallic Mfg. Company.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter P. Gardner, Trustee of the Central Railroad Company of New Jersey,

Petitioner,

92 vs.

The State of New Jersey.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Interstate Hotel Company of Nebraska,

Petitioner,

761 vs.

Remick Music Corporation;

Penny Park,

Petitioner,

765 vs.

W. Hymer [illegible]:

Lloyd J. Fox,

Petitioner,

766 vs.

Chappell & Co., Inc.; and

Interstate Hotel Company of [illegible],

Petitioner,

767 vs.

Jerome Kern and T. B. Harms Company.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice [illegible].

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Proclamation being made the Court is adjourned until Monday, March 3, next, at 12 o'clock.

MONDAY, MARCH 3, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Homer A. Ramey, It is ordered that Stephen Alexander Nicholas, Esquire, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward J. Devitt, It is ordered that Eugene Thomas Devitt, Esquire, of Elgin, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Tom C. Clark, It is ordered that Grace M. Stewart, of Stamford, State of Connecticut, and Thomas Johnson Strickler, Esquire, of Kansas City, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Bertrand Wesley Gearhart, It is ordered that Richard Henry Chamberlain, Esquire, of Oakland, State of California; John J. Allen, Jr., Esquire, of Oakland, State of California; and Samuel Wm. Yorty, Esquire, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that Stanton G. Dondero, Esquire, of Royal Oak, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank E. Coughlin, It is ordered that John W. Griggs, Esquire, of Paterson, State of New Jersey; John J. Kitchen, Esquire, of Bridgeport, State of New Jersey; John Grimshaw, Jr., Esquire, of Paterson, State of New Jersey; Herschel A. Hollopeter, Esquire, of Indianapolis, State of Indiana; and Karl J. Stipher, Esquire, of Indianapolis, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George L. Grant, It is ordered that Jack Rose, Esquire, of Fort Smith, State of Arkansas, and John Sam Wood, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Byron B. Harlan, It is ordered that Mathias H. Heck, Esquire, of Dayton, State of Ohio; Robert W. Schroader, Esquire, of Dayton, State of Ohio; and Merritt E. Schlafman, Esquire, of Dayton, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Norma Hardy Britton, It is ordered that Julius Schein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Miller, It is ordered that Byron M. Gray, Esquire, of Topeka, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving R. M. Panzer, It is ordered that Carl Rachlin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice said:

"It is my sad duty to announce that on February 22, during the recess of the Court, its Librarian, Mr. Oscar D. Clarke, died.

"Forty-seven years ago this month Mr. Clarke entered the service of this Court as an assistant in its Library and in 1915 he succeeded Mr. Frank K. Green as Librarian. In this post he followed in the footsteps of his father who had been the first Librarian of the Court. His long service, together with that formerly rendered by his father, indicates a traditional family devotion to loyal and efficient discharge of public duty.

"To every undertaking Mr. Clarke brought precise knowledge and broad experience in library science; he was courteous and helpful beyond the scope of prescribed duty. The severance of this long association brings to us a sense of deep sorrow for he had endeared himself to many Justices during the years of his close relationship with the Court.

"The Court records its appreciation of Mr. Clarke's high character and of the effective aid he long rendered to it and expresses its sincere sympathy to his widow and the members of his family."

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The United States of America, Petitioner,

56 vs.

Legh R. Powell, Jr., and Henry W. Anderson, as Receivers of the Properties and Assets of Seaboard Air Line Railway Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Virginia.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Rutledge.

The United States of America, Petitioner,

57 vs.

Atlantic Coast Line Railroad Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Virginia.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Rutledge.

Northern Pacific Railway Company, Petitioner,

400 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Wisconsin.

Per Mr. Justice Douglas.

National Labor Relations Board,
Petitioner,
38 vs.
Donnelly Garment Company, Donnelly Garment Workers' Union and International Ladies' Garment Workers' Union; and

On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

International Ladies' Garment Workers' Union,
Petitioner,
39 vs.
Donnelly Garment Company, Donnelly Garment Workers' Union and National Labor Relations Board.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court of Appeals in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

A. N. Cone,
Petitioner,
184 vs.
West Virginia Pulp and Paper Co.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of South Carolina for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

The Chief Justice announced the following orders of the Court:

Edward F. Zap,
Petitioner,
489 O.T. '45 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

A motion for leave to file a second petition for rehearing and to recall the mandate having been submitted, this cause came on for reconsideration upon said motion and record.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The motion for leave to file a second petition for rehearing and to recall the mandate is granted. The second petition for rehearing is granted. The judgment of affirmance entered June 10, 1946, and the order entered October 21, 1946, denying rehearing are vacated. The judgment of the Circuit Court of Appeals is reversed and the case is remanded to the District Court of the United States for the Southern District of California with directions to dismiss the indictment. Ballard v. United States, No. 37, October Term, 1946, decided December 9, 1946.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this order.

C. J. Adams, Alias Charlie Adams,
Petitioner,
457 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Alabama.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Leo Loyd Johnson,

Petitioner.

105, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Stanley B. Peplowski,

Petitioner.

106, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte N. B. Houghton,

Petitioner.

111, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Luther R. Clark,

Petitioner.

112, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Howard Walker,

Petitioner.

113, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William W. Boehman,

Petitioner.

108, Misc.

ON CONSIDERATION of the application submitted herein by William W. Boehman,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Charles Kasper,

Petitioner.

114, Misc.

ON CONSIDERATION of the application submitted herein by Charles Kasper,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester Barnard, et al.,

Petitioners,

109, Misc. vs.

W. C. Jones, et al.

ON CONSIDERATION of the petition for appeal submitted by Lester Barnard, et al.,

IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte S. Aiken Campbell,

Petitioner.

115, Misc.

ON CONSIDERATION of the petition for appeal submitted by S. Aiken Campbell,

IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ford Motor Company,

Appellant,

643 vs.

The United States of America; and

Commercial Investment Trust Corporation, et al.,

Appellants,

644 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file brief of Associates Investment Company and others as amici curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

954 vs.

James C. Petrillo.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Brotherhood of Railroad Trainmen, an Unincorporated Association,

Appellant,

970 vs.

The Baltimore and Ohio Railroad Company, et al.

The statement of jurisdiction in this case having been submitted, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

862 vs.

John J. Felin & Co., Inc.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

847 vs.

The Munsey Trust Company of Washington, D. C., Receiver.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Margaret E. Sherrer, Order allowing certiorari.

Petitioner,

937 vs.

Edward C. Sherrer.

The petition herein for a writ of certiorari to the Probate Court for the County of Berkshire, Commonwealth of Massachusetts, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Martin V. B. Coe, Order allowing certiorari.

Petitioner,

958 vs.

Katherine C. Coe.

The petition herein for a writ of certiorari to the Probate Court for the County of Worcester, Commonwealth of Massachusetts, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John P. McWilliams, Order allowing certiorari.

Petitioner,

945 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Estate of Susan P. McWilliams, Deceased, Order allowing certiorari.
John P. McWilliams, Executor,

Petitioner,

946 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Brooks B. McWilliams, Order allowing certiorari.

Petitioner,

947 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be

treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Ben H. Rosenthal & Co., Inc., et al., Petitioners,
819 vs.
Paul A. Porter, Price Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

It appearing to the Court that counsel for petitioners have filed a motion to dismiss the petition for writ of certiorari in this case;

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Aaron Borin, et al., Petitioners,
820 vs.
Paul A. Porter, Price Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

It appearing to the Court that counsel for petitioners have filed a motion to dismiss the petition for writ of certiorari in this case;

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Abe Rubin, et al., Petitioners,
821 vs.
Paul A. Porter, Price Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

It appearing to the Court that counsel for petitioners have filed a motion to dismiss the petition for writ of certiorari in this case;

Therefore, pursuant to said motion, it is ordered by this Court

that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Wabash Railroad Company,
Petitioner,
763 vs.
J. F. Williamson.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard Licht, Herman J. Licht and Harry Licht,
Petitioners,
837 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Louis Peskoe,
Petitioner,
874 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Emil Ludwig Krepper,
Petitioner,
876 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Smith, Richey & Co., Inc., Eugene Walter, Central Beef Co., et al.,
Petitioners,
890 vs.
Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas and Pacific Railway Company,
Petitioner,
907 vs.
St. Louis Southwestern Railway Company, Debtor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jane V. Buckner and Leon Buckner,
Petitioners,
910 vs.
Fred A. Tweed, Trading as F. A. Tweed Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. B. Edwards, Ruth Brougher and Monte Preston,
Petitioners,
935 vs.
Joseph Dine.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vulcan Corporation,
Petitioner,
938 vs.
International Shoe Machine Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Seaboard Surety Company, Petitioner, vs. United States. — On petition for writ of certiorari to The Court of Claims.

846

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Petitioner, vs. Beulah Eaton McAllister. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

848

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cesario Campa, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

854

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Whitman Publishing Company,
Petitioner,
863 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milton Scott Anthony,
Petitioner,
868 vs.
State of Oregon.

On petition for writ of certiorari to the Supreme Court of the State of Oregon.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oregon, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Verna Loyd Garland,
Petitioner,
911 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Anton Wells,
Petitioner,
916 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ogden Dairy Company,
Petitioner,
914 vs.
Claude R. Wickard, Secretary of Agriculture, United States of America, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milo Moore, Director of Fisheries of the State of Washington, et al.,
Petitioners,
915 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nebraska National Hotel Company,
Petitioner,
941 vs.
George W. O'Malley, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marion H. Allen, Collector of Internal Revenue,
Petitioner,
942 vs.
The First National Bank & Trust Company in Macon, as Executor Under the Last Will and Testament of Mrs. Floretta S. Ulman (Mrs. E. Ulman), Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eastman Kodak Company,
Petitioner,
955 vs.
Federal Trade Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

7 Fifths Old Grand-Dad Whiskey, et al., and W. R. Herndon, Claimant,

Petitioners,

964 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Public Service Interstate Transportation Company,

Petitioner,

972 vs.

Javotte Sutton.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Johnson Roberts,

Petitioner,

974 vs.

Margaret Elizabeth Roberts and The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The City of Portland, a Municipal Corporation,

Petitioner,

770 vs.

Public Market Company of Portland, et al.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The City of Portland, a Municipal Corporation,

Petitioner,

770 vs.

Public Market Company of Portland, et al.

On petition for writ of certiorari to the Supreme Court of the State of Oregon.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oregon, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mark Bullock,

Petitioner,

742 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irving M. Parker, Petitioner,

806 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Joseph Lacey, Petitioner,

810 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Jesse Leonard, Petitioner,

834 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Mignogna,

Petitioner,

845 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Roy Miller,

Petitioner,

869 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hayes Turner,

Petitioner,

871 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Morrison, Petitioner,
877 vs.
John F. Foster, as Warden of Auburn Prison, Auburn, New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Van Woods, Petitioner,
894 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. L. Stern, Petitioner,
939 vs.
John I. Cox.

On petition for writ of certiorari to the Court of Appeals of the State of Tennessee.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coy Thompson,

Petitioner,

997 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Hayes Ross,

Petitioner,

1005 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Samuels,

Petitioner,

1006 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Harris, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1007

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester McCollum, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1008

On petition for writ of certiorari to the Supreme Court and Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Mills, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1009

On petition for writ of certiorari to the Supreme Court and Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roland Barron,
Petitioner,
1010 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Kaval,
Petitioner,
1011 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilbur Klein,
Petitioner,
1012 vs.
Walter Niersthemer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip R. Bellino and Edward F. Gertsen, Petitioners,
1023 vs.
Commonwealth of Massachusetts.

On petition for writ of certiorari to the Superior Court, Essex County, Commonwealth of Massachusetts.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Valdemar Norwitt, Petitioner,
1032 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Cannata, Petitioner,
1037 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Butler,
Petitioner,
1042 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard E. Mackey,
Petitioner,
182 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Onondaga County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Rutledge are of the opinion the petition should be granted.

Elwyn Barron,
Petitioner,
1033 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Elwyn Barron,

Petitioner.

110, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles B. Morris,

Petitioner,

62 vs.

Paul F. Jones, Director of Insurance of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Transparent-Wrap Machine Corporation,

Petitioner,

208 vs.

Stokes & Smith Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Insurance Group Committee, Reorganization Committee, Guaranty Trust Company of New York, Trustee, et al.,

Petitioners,

690 vs.

The Denver and Rio Grande Western Railroad Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kingdon De Normand,

Petitioner,

725 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The General Metals Powder Company,

Petitioner,

792 vs.

The S. K. Wellman Company and S. K. Wellman.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Patterson,

Petitioner,

816 vs.

Virginia Electric and Power Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julia Camp Brummel,

Petitioner,

826 vs.

L. P. Dietz and Associates, Inc., a New York Corporation, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Estate of Chicago, Rock Island and Pacific Railway Company,

Petitioners,

831 vs.

Oklahoma Tax Commission.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Horace A. Hildreth, Governor of the State of Maine, Charles M. Dale, Governor of the State of New Hampshire, et al.,

Appellants,

344 vs.

The United States of America, Interstate Commerce Commission, et al.

ON CONSIDERATION of the motion of counsel for appellants to substitute as parties appellant in this case Ernest W. Gibson, Governor of the State of Vermont, Robert F. Bradford, Governor of the Commonwealth of Massachusetts, and James L. McConaughy, Governor of the State of Connecticut, successors in office of Mortimer R. Proctor, Maurice J. Tobin, and Raymond E. Baldwin, respectively,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

State of New York, State of Delaware, State of Indiana, et al.,

Appellants,

343 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.;

Horace A. Hildreth, Governor of the State of Maine, et al.,

Appellants,

344 vs.

The United States of America, Interstate Commerce Commission, et al.; and

The Atchison, Topeka, and Santa Fe Railway Company, et al.,

Appellants,

345 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.

Eight hours allowed for the argument of these cases. Argument commenced by Mr. Parker McCollester for the appellants in No. 343, and continued by Mr. Henry E. Foley for the appellants in No. 344 and by Mr. Douglas F. Smith for the appellants in No. 345.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Leo DeOrsey, It is ordered that Maurice Friedman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Peters, Jr., It is ordered that Leslie E. Riggins, Esquire, of Newport News, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. George, It is ordered that J. Neely Peacock, Jr., Esquire, of Albany, State of Georgia, and Stephen Pace, Esquire, of Americus, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Millikin, It is ordered that Thomas Maynard Burgess, Esquire, of Colorado Springs, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. Homer Ferguson, It is ordered that John B. Bennett, Esquire, of Ontonagon, State of Michigan, and Richard Andrews MacRae, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cedric F. Johnson, It is ordered that Milton A. Stone, Esquire, of Weston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Douglas F. Smith, It is ordered that Daniel Robert Thomas, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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O. H. Fischer and Martha Fischer,

Petitioners,

1063 vs.

The City of Oklahoma City, a Municipal Corporation.

ON CONSIDERATION of the application of counsel for petitioners to extend the time for making service of the petition for certiorari, brief, and record in this case,

IT IS ORDERED that the time for making such service be, and the same is hereby, extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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State of New York, State of Delaware,
State of Indiana, et al.,

Appellants,

343 vs.

The United States of America, Interstate
Commerce Commission, State of Alabama, et al.;

Horace A. Hildreth, Governor of the State
of Maine, et al.,

Appellants,

344 vs.

The United States of America, Interstate
Commerce Commission, et al.; and

The Atchison, Topeka, and Santa Fe Railway
Company, et al.,

Appellants,

345 vs.

The United States of America, Interstate
Commerce Commission, State of Alabama,
et al.

Argument continued by Mr. Douglas F. Smith for the appellants in No. 345; by Mr. Edward H. Miller for the appellee, The United States; by Mr. Daniel W. Knowlton for the appellee, Interstate Commerce Commission; by Mr. J. V. Norman for the appellees, the Southern States and Southern Governors' Conference; and by Mr. Byron M. Gray for the appellees, the State of Arkansas, et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that Harry Evans Templeton, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that William S. McKinley, Esquire, of Carthage, State of Tennessee, and Jere Taylor Tipton, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan R. Margold, It is ordered that Max Barash, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norman M. Littell, It is ordered that Frederic D. Anderson, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Philip B. Fleming, Administrator, Office of Temporary Controls, et al.,

Petitioner,

1095 vs.

The Moberly Milk Products Company.

Time for making service of petition for certiorari, brief, and record extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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State of New York, State of Delaware, State of Indiana, et al.,

Appellants,

343 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.;

Horace A. Hildreth, Governor of the State of Maine, et al.,

Appellants,

344 vs.

The United States of America, Interstate Commerce Commission, et al.; and

The Atchison, Topeka and Santa Fe Railway Company, et al.,

Appellants,

345 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.

Argument continued by Mr. Byron M. Gray for the appellees, The State of Arkansas, et al.; by Mr. Parker McCollester for the appellants in No. 343; and concluded by Mr. Douglas F. Smith for the appellants in No. 345.

Federal Power Commission, et al.,

Petitioners,

543 vs.

Arkansas Power & Light Company.

Argument commenced by Mr. Howard E. Wahrenbrock for the petitioners, continued by Mr. A. J. G. Priest for the respondent and by Mr. Wyatt Cleveland Holland for the State of Arkansas, as amicus curiae by special leave of Court, and concluded by Mr. Howard E. Wahrenbrock for the petitioners.

The United States of America,

Petitioner,

430 vs.

Ogilvie Hardware Company, Inc.

Argued by Mr. Lee A. Jackson for the petitioner and by Mr. Elias Goldstein for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, MARCH 6, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. Roy Smith, It is ordered that Fred N. Howser, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. J. Walsh, Jr., It is ordered that Arthur A. Steffan, Esquire, of Washington, District of Columbia, and Wilmer G. Williams, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur E. Benoy, It is ordered that Ralph F. Glenn, Esquire, of Topeka, State of Kansas, and Arthur M. Sebastian, Esquire, of Columbus, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Manuel M. Gorman, It is ordered that Joseph J. DeRaad, Esquire, of Sioux City, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Hobbs, It is ordered that John E. Miklos, Esquire, of Uniontown, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard K. Stevens, It is ordered that George H. Mortimer, Esquire, of Montclair, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Bane, Jr., It is ordered that Alan Dale Riester, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman Wolkinson, It is ordered that Caryl E. Cohen, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,
Petitioner,
759 vs.
United Mine Workers of America, an Unincorporated Association;

On writs of certiorari to the United States Court of Appeals for the District of Columbia.

The United States of America,
Petitioner,
760 vs.
John L. Lewis, Individually and as President of the United Mine Workers of America;

United Mine Workers of America, an
Unincorporated Association,

Petitioner,

781 vs.

The United States of America;

John L. Lewis, Individually and as
President of the United Mine Workers
of America,

Petitioner,

782 vs.

The United States of America; and

United Mine Workers of America, an
Unincorporated Association, and John L.
Lewis, Individually and as President
of the United Mine Workers of America,

Petitioners,

811 vs.

The United States of America.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, which was brought to this Court before hearing and decision in the Court of Appeals, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The temporary restraining order and the preliminary injunction were properly issued by the District Court of the United States for the District of Columbia, and the actions of the District Court in these respects are affirmed. The judgment against the defendant, John L. Lewis, is affirmed. The judgment against the defendant Union is modified as indicated in the opinion of this Court, and, as modified, that judgment is affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson joins in the opinion of the Chief Justice except as to the Norris-LaGuardia Act which he thinks relieved the courts of jurisdiction to issue injunctions in this class of case.

Opinion by Mr. Justice Frankfurter joining in the judgment of the Court and also concurring in the opinion of the Court insofar as it is not inconsistent with the views expressed in his concurrence.

Opinion by Mr. Justice Black and Mr. Justice Douglas concurring in

Dissenting opinion by Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

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Harry O. Pauly,

Petitioner,

443 vs.

Wilson McCarthy and Henry Swan,
Trustees of The Denver and Rio Grande
Western Railroad Company.

Argued by Mr. Parnell Black for the petitioner and by Mr. W. Q. Van Cott for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, MARCH 7, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Royal E. Jackson, It is ordered that Robert E. Peck, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Edward Preston, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Bane, Jr., It is ordered that Nicholas Unkovic, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, and Paul J. Winschel, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conder C. Henry, It is ordered that Melvin E. B. Karns, Esquire, of Princeton, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Leventhal, It is ordered that David Ginsburg, Esquire, of Huntington, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ward Monroe French, It is ordered that John P. Oliver, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Bernard Tate, It is ordered that Edward B. Williams, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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William Greenough and George Henry Warren, Jr., Trustees,

Appellants,

461 vs.

Tax Assessors of the City of Newport and Edward L. Leahy, Tax Administrator of the State of Rhode Island.

Argument commenced by Mr. William Greenough for the appellants, continued by Mr. William R. Harvey for the appellants, and concluded by Mr. John C. Burke for the appellees.

National Labor Relations Board,

Petitioner,

418 vs.

Jones & Laughlin Steel Corporation.

Argued by Miss Ruth Weyand for the petitioner and by Mr. John C. Bane, Jr., for the respondent.

National Labor Relations Board,

Petitioner,

419 vs.

E. C. Atkins and Company.

Argument commenced by Miss Ruth Weyand for the petitioner.

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Proclamation being made the Court is adjourned until Monday, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henderson H. Carson, It is ordered that Virgil F. Mills, Esquire, of Canton, State of Ohio; Edgar W. Jones, Esquire, of Canton, State of Ohio; and D. Bruce Mansfield, Esquire, of Canton, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Murray, It is ordered that S. O. Meyer, Esquire, of Butte, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Cooney, It is ordered that Owen W. Crumpacker, Esquire, of Hammond, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Goodale, It is ordered that Allan E. Charles, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. McInerney, It is ordered that Dennis A. Flinn, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor

On motion first made to the Court in this behalf by Mr. Thomas E. Harris, It is ordered that Maurice M. Briggs, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that Ewell H. Muse, Jr., Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Packard Motor Car Company, Petitioner,

658 vs.

National Labor Relations Board.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of enforcement of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Burton concur.

Mr. Justice Frankfurter agrees with the opinion of Mr. Justice Douglas except the part marked "First" as to which he expresses no view.

Gulf Oil Corporation,
Petitioner,
vs.
Cornelius Gilbert, Doing Business Under the Firm Name and Style of Gilbert Storage & Transfer Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

93

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Reed and Mr. Justice Burton.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Rutledge joins.

Eugene Koster,
Petitioner,
vs.
(American) Lumbermens Mutual Casualty Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

206

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of New York.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Rutledge joins.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins.

Frank A. Cardillo, Deputy Commissioner, United States Employees' Compensation Commission,

Petitioner,

265 vs.

Liberty Mutual Insurance Company, E. C. Ernst, Inc., and Virginia C. Ticer.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Frankfurter concurs in the result.

Dissenting: Mr. Justice Jackson and Mr. Justice Burton.

Aetna Casualty & Surety Company and J. A. Jones Construction Company,

Petitioners,

432 vs.

Mrs. Fannie M. Flowers.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

United Brotherhood of Carpenters and Joiners of America,

Petitioner,

6 vs.

The United States of America;

On writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

The Bay Counties District Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America, et al.,

Petitioners,

7 vs.

The United States of America;

Lumber Products Association, Inc., Acme Manufacturing Co., Inc., Eureka Sash, Door and Moulding Mills, et al.,

Petitioners,

8 vs.

The United States of America;

Alameda County Building and Construction Trades Council,

Petitioner,

9 vs.

The United States of America; and

Boorman Lumber Company, Hogan Lumber Company, Loop Lumber & Mill Company, et al.,

Petitioners,

10 vs.

The United States of America.

THESE CAUSES came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals, in these causes, be, and the same is hereby, reversed; and that these causes, be, and the same are hereby, remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Mr. Justice Jackson took no part in the consideration or decision of these cases.

Opinion by Mr. Justice Frankfurter, with whom the Chief Justice and Mr. Justice Burton concur in the result, dissenting.

Lazarus Joseph, Comptroller of the City of New York, and Spencer C. Young, Treasurer of the City of New York,

Petitioners,

29 vs.

Carter & Weekes Stevedoring Company.

On writ of certiorari to the Supreme Court of the State of New York, County of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, County of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, on the remittitur from the Court of Appeals of the State of New York be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black.

Opinion by Mr. Justice Douglas dissenting in part in which Mr. Justice Rutledge concurs.

Mr. Justice Murphy joins in the dissent of Mr. Justice Douglas except as to the second part.

Lazarus Joseph, Comptroller of the City of New York, and Spencer C. Young, Treasurer of the City of New York,

Petitioners,

vs.

John T. Clark & Son.

On writ of certiorari to the Supreme Court of the State of New York, County of New York.

30

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, County of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, on the remittitur from the Court of Appeals of the State of New York be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black.

Opinion by Mr. Justice Douglas dissenting in part in which Mr. Justice Rutledge concurs.

Mr. Justice Murphy joins in the dissent of Mr. Justice Douglas except as to the second part.

American Stevedores, Inc.,

Petitioner,

vs.

Rosario Porello and The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

69

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The decree of the Circuit Court of Appeals as to Porello is affirmed. So much of the decree as awards indemnity to the United States under the stevedoring contract is reversed and the case is remanded to the District Court of the United States for the Southern District of New York for determination of the meaning of the contract in question.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter in which the Chief Justice joins.

The United States of America,

514 vs.

Maria R. Lauro, as Administratrix of the Goods, Chattels, and Credits of Peter Lauro, Deceased.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is the opinion of this Court that the question certified must be answered as follows: The word "damages" as used in 46 U. S. C. Sec. 781, includes damages under Secs. 130-134 of the Decedent Estate Law of the State of New York recoverable by a personal representative because of the death of a human being.

WHEREUPON, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Reed.

Alfred Testa and Philip B. Fleming, Temporary Controls Administrator,

Petitioners,

431 vs.

Harry Katt.

On writ of certiorari to the Superior Court for Providence and Bristol Counties, State of Rhode Island.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court for Providence and Bristol Counties, State of Rhode Island, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Superior Court, entered on the decision of the Supreme Court of the State of Rhode Island be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Superior Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

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The Chief Justice announced the following orders of the Court:

Harry O. Pauly, Petitioner, vs. Wilson McCarthy and Henry Swan, Trustees of The Denver and Rio Grande Western Railroad Company.

443 — On writ of certiorari to the Supreme Court of the State of Utah.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Federal Power Commission, et al., Petitioners, vs. Arkansas Power & Light Company.

543 — On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed on the ground that respondent, Arkansas Power & Light Company, has failed to exhaust its administrative remedies. Myers v. Bethlehem Shipbuilding Corporation, 303 U. S. 41; Macauley v. Waterman S. S. Corporation, 327 U. S. 540.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Boeing Aircraft Company, Appellant, vs. King County, Washington, a Municipal Corporation, et al. — Appeal from the Supreme Court of the State of Washington.

1027

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Boeing Aircraft Company, Appellant, vs. King County, Washington, a Municipal Corporation, et al. — Appeal from the Supreme Court of the State of Washington.

1027

TREATING the appeal papers herein from the Supreme Court of the State of Washington as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Boeing Aircraft Company, Appellant, vs. King County, Washington, a Municipal Corporation, et al. — Appeal from the Supreme Court of the State of Washington.

1028

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the reason that application therefor was not made within the time provided by law.

Per Mr. Chief Justice Vinson.

Kenneth W. Colegrove, Peter J. Chamales and Jerome G. Kerwin,

Appellants,

vs.

Edward J. Barrett, as Secretary of State of the State of Illinois, etc., et al.

Appeal from the District Court of the United States for the Northern District of Illinois.

1031

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED AND ADJUDGED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

In view of the Court's refusal to grant rehearing in Colegrove v. Green, 328 U. S. 549, rehearing denied, 329 U. S. ___, and its dismissal of the appeals in Cook v. Fortson and Turman v. Duckworth, 329 U. S. ___, rehearing denied, 329 U. S. ___, Mr. Justice Rutledge concurs in the dismissal of this appeal.

Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy are of the opinion that probable jurisdiction should be noted.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Benno Seibold,

Petitioner.

117, Misc.

ON CONSIDERATION of the application submitted herein by Benno Seibold,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the application of the National Association of Attorneys General and the American Association of Port Authorities for leave to present oral argument as amici curiae in this case,

IT IS ORDERED by this Court that the said applications be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of these applications.

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion for leave to file brief of Robert E. Lee Jordan as amicus curiae herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Thomas A. Murray, Petitioner,

483 vs.

Philip B. Fleming, Temporary Controls Administrator.

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the writ of certiorari in this cause;

THEREFORE, pursuant to said motion, it is ordered by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Nelson Foster and George Payne,

Petitioners,

540 vs.

The People of the State of Illinois.

It is ordered that Charles R. Kaufman, Esquire, of Chicago, Illinois be, and he is hereby, appointed to serve as counsel for the petitioners in this case.

Per Mr. Chief Justice Vinson.

Peter Caldarola,

Petitioner,

625 vs.

Gerda Eckert and Thor Eckert, Jr., Partners, etc.

ON CONSIDERATION of the motion of International Longshoremen's and Warehousemen's Union for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Aero Mayflower Transit Company,

Appellant,

1003 vs.

Board of Railroad Commissioners of the State of Montana, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

1030 vs.

Scophony Corporation of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Priebe & Sons, Inc., Order allowing certiorari.

Petitioner,

861 vs.

The United States.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

922 vs.

The Cement Institute, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

923 vs.

Aetna Portland Cement Company, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

924 vs.

Marquette Cement Manufacturing Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

925 vs.

Calavaras Cement Company, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

926 vs.

Huron Portland Cement Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

927 vs.

Superior Portland Cement, Inc.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

928 vs.

Northwestern Portland Cement Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

929 vs.

Riverside Cement Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

930 vs.

Universal Atlas Cement Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

931 vs.

California Portland Cement Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

932 vs.

Monolith Portland Cement Company, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Order allowing certiorari.

Petitioner,

933 vs.

Blaine S. Smith, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Joseph F. Maggio, Order allowing certiorari.

Petitioner,

967 vs.

Raymond Zeitz, as Trustee in Bankruptcy of Luma Camera Service, Inc.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Southern Pacific Company, On petition for writ of certiorari

Petitioner, to The Court of Claims.

827 vs.

The United States.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
860 vs.
The Illinois Pure Aluminum Company.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John L. Kinnison,
Petitioner,
899 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Granville C. Morton,
Petitioner,
950 vs.
Kate Thomas, as Community Survivor of the Estate of W. A. Thomas, Deceased, Former Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Sanitary District of Chicago, Petitioner, vs. Activated Sludge, Inc., Activated Sludge, Ltd., Edgar C. Guthard, et al., etc.

953

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Pure Oil Company, Petitioner, vs. Petrolite Corporation, Ltd.

982

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph E. Seagram & Sons, Inc., Petitioner, vs. Isadore Levin.

986

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ambassador Management Corporation, et al., etc.,

Petitioners,

988 vs.

Incorporated Village of Hempstead.

On petition for writ of certiorari to the Supreme Court, 2nd Appellate Division, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court, 2nd Appellate Division, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ethel S. Garrett and George A. Garrett,

Petitioners,

1014 vs.

District of Columbia.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Simon L. Fisch, as Trustee in Bankruptcy of Joseph Rosen, et al., Bankrupts,

Petitioners,

1018 vs.

Standard Factors Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Kaufman,

Petitioner,

960 vs.

The People of the State of New York.

ON CONSIDERATION of the motion to dispense with the printing of the stenographer's minutes in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Charles Kaufman,

Petitioner,

960 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the County Court of Kings County, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Southern Pacific Company, a Railroad Corporation, Intervenor,

Petitioner,

879 vs.

Berryman Henwood, as Trustee of St. Louis Southwestern Railway Company Lines, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

Walter E. Meyer, Intervenor,
Petitioner,
909 vs.
Berryman Henwood, as Trustee of St. Louis Southwestern Railway Company Lines, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

Mr. Justice Douglas is of the opinion that the petition should be granted.

St. Louis Southwestern Railway Company,
Petitioner,
936 vs.
Berryman Henwood, as Trustee of St. Louis Southwestern Railway Company Lines, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

James A. Lovvorn,
Petitioner,
824 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Monsky and Gustave Monsky,
Petitioners,
865 vs.
People of the State of New York.

On petition for writ of certiorari to the County Court of Nassau County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Albert Kirk,
Petitioner,
882 vs.
Robert A. Heinze, Warden, California State Prison at Folsom, California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick Henry Watkins,
Petitioner,
891 vs.
W. Frank Smyth, Jr., Superintendent of the Virginia State Penitentiary.

On petition for writ of certiorari to the Supreme Court of Appeals, Commonwealth of Virginia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leonard Habermann,
Petitioner,
895 vs.
The People of the State of New York.

On petition for writ of certiorari to the Court of General Sessions, New York County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earle E. Kynette,
Petitioner,
897 vs.
Clinton T. Duffy, Warden, California State Prison, San Quentin, California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Mandell,
Petitioner,
984 vs.
Clinton T. Duffy, Warden, California State Prison, San Quentin, California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Leo Rhodes,

Petitioner,

1039 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Isadore Burner,

Petitioner,

1053 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Adams County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Brancato,

Petitioner,

1054 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Thompson,

Petitioner,

1056 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arch H. Everson,

Appellant,

52 vs.

Board of Education of the Township of Ewing, etc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ella H. Tinkoff, Debtor, and Paysoff Tinkoff, Claimant,

Petitioners,

832 vs.

Ben Gold, Trustee, Louis Cohen, Attorney for Trustee, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small,

Petitioner,

706 vs.

Walter B. Martin, Warden, etc.

ON CONSIDERATION of the application for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Osmond Y. Ladd and Paul H. Todd,

Petitioners,

825 vs.

Bartholomew A. Brickley, Trustee of Internal Hydro Electric System, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Murphy took no part in the consideration or decision of this application.

Cesario Campa,

Petitioner,

854 vs.

The United States of America.

ON CONSIDERATION of the application for a stay of execution in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cesario Campa,

Petitioner,

854 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, March 17, until Monday, March 31, next.

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The United States of America,

Petitioner,

759 vs.

United Mine Workers of America, an Unincorporated Association;

The United States of America,

Petitioner,

760 vs.

John L. Lewis, Individually and as President of the United Mine Workers of America;

United Mine Workers of America, an Unincorporated Association,

Petitioner,

781 vs.

The United States of America;

John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioner,

782 vs.

The United States of America; and

United Mine Workers of America, an Unincorporated Association, and John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioners,

811 vs.

The United States of America.

Motion for the immediate issuance of the mandate submitted by Mr. Assistant Attorney General Sonnett for the United States.

National Labor Relations Board,

Petitioner,

419 vs.

E. C. Atkins and Company.

Argument continued by Miss Ruth Weyand for the petitioner and by Mr. Frederic D. Anderson for the respondent and concluded by Miss Ruth Weyand for the petitioner.

The United States of America,

Petitioner,

312 vs.

Albert Silk, Doing Business as Albert Silk Coal Company.

Argued by Mr. Robert L. Stern for the petitioner and by Mr. Ralph F. Glenn for the respondent.

Carter H. Harrison, Individually and
as Collector of Internal Revenue,

Petitioner,

673 vs.

Greyvan Lines, Inc.

Argument commenced by Mr. Robert L. Stern for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MARCH 11, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Gladys M. Wied, of Benton, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Edward F. Colladay, It is ordered that T. Fergus Redmond, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Michael J. Colbert, It is ordered that James K. Hughes, Esquire, of New Philadelphia, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Louis G. Greenfield, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Hamilton McLean, It is ordered that Francis L. Brown, Esquire, of New York, State of New York, and Robert D. Brooks, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas E. DeWolfe, It is ordered that John P. Boyd, Jr., Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy H. Russell, Jr., It is ordered that Julius L. Kabaker, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert S. Thatcher, It is ordered that Robert A. Wilson, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Complainant,

12, Original vs.

The State of California.

Leave granted the American Association of Port Authorities and National Association of Attorneys General to present oral argument as amici curiae within the time allowed the State of California.

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Carter H. Harrison, Individually and as Collector of Internal Revenue,

Petitioner,

673 vs.

Greyvan Lines, Inc.

Argument continued by Mr. Robert L. Stern for the petitioner, by Mr. Wilbur E. Benoy for the respondent, and concluded by Mr. Robert L. Stern for the petitioner.

The United States of America,

Petitioner,

498 vs.

Honorable William F. Smith, a District Judge Especially Designated and Assigned to Hold the District Court of the United States for the Middle District of Pennsylvania, et al.

Argued by Mr. Douglas W. McGregor for the petitioner and by Mr. Robert T. McCracken for the respondent, John Memolo. No appearance for respondent, Honorable William F. Smith, District Judge.

The United States of America,

Appellant,

253 vs.

The Pullman Company, et al.;

Otis & Co.,

Appellant,

254 vs.

The United States of America, et al.;

The Chesapeake & Ohio Railroad Company, et al.,

Appellants,

255 vs.

The United States of America, et al.; and

Glore, Forgan & Co.,

Appellant,

256 vs.

The United States of America, et al.

Six and one-half hours allowed for argument. Argument commenced by Mr. Albert Holmes Baldridge for the United States and continued by Mr. Robert J. Bulkley for the Chesapeake & Ohio Railroad Company, et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. Homer Ferguson, It is ordered that Nathaniel H. Rubin, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ezra Brainerd, Jr., It is ordered that Gene M. Woodfin, Esquire, of Houston, State of Texas, and Allen C. Hutcheson, Jr., Esquire, of Houston, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matthias M. Orfield, It is ordered that Millard W. Rice, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Wharton Pepper, It is ordered that Cora Boughton Keenan, of Philadelphia, Commonwealth of Pennsylvania, and William M. Keenan, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. John Egan Shea, It is ordered that Charles W. Rivoire, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Mulroney, It is ordered that David Dana Hochstein, Esquire, of Rochester, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Ruffin, It is ordered that James L. HornBostel, Esquire, of Springfield, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Miller, It is ordered that William Macy Marvel, Esquire, of Medford, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Foote, It is ordered that Sutherland G. Taylor, 3rd, Esquire, of McLean, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Barnes Young, It is ordered that Lorenzo Lee Bean, Jr., Esquire, of South Hill, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

253 vs.

The Pullman Company, et al.;

Otis & Co.,

Appellant,

254 vs.

The United States of America, et al.;

The Chesapeake & Ohio Railroad Company, et al.,

Appellants,

255 vs.

The United States of America, et al.; and

Glore, Forgan & Co.,

Appellant,

256 vs.

The United States of America, et al.

Argument continued by Mr. Thurman Arnold for Otis & Co.; by Mr. Leo F. Tierney for Glore, Forgan & Co.; by Mr. Jacob Aronson for the Railroad appellees; by Mr. George Wharton Pepper for appellees, Pullman Company, et al.; and by Mr. Robert J. Bulkley for the Chesapeake & Ohio Railroad Co. et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George E. MacKinnon, It is ordered that Edgar Thomas Buckley, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Lichenberg, It is ordered that Samuel Barker, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that David Abrahm Gaskill, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Murray, It is ordered that Roy F. Allan, Esquire, of Billings, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl A. Auerbach, It is ordered that Stanley M. Riesner, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Johnson, It is ordered that Isaiah H. Spears, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Bowdoin Craighill, It is ordered that Llewellyn C. Thomas, Esquire, of Washington, District of Columbia; Arthur Murray Preston, Esquire, of Washington, District of Columbia; and George Bowdoin Craighill, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank A. Barrett, It is ordered that Leonard S. Strahan, Esquire, of Lovell, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Ginsburg, It is ordered that Herbert Ferster, Esquire, of New York, State of New York, and Arthur J. Gang, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The United States of America,
Appellant,

253 vs.

The Pullman Company, et al.;

Otis & Co.,
Appellant,

254 vs.

The United States of America, et al.;

The Chesapeake & Ohio Railroad Company, et al.,

Appellants,

255 vs.

The United States of America, et al.; and

Glore, Forgan & Co.,

Appellant,

256 vs.

The United States of America, et al.

Argument concluded by Mr. Albert Holmes Baldridge for the United States.

The United States of America,

Complainant,

12, Original vs.

The State of California.

Six hours allowed for argument. Argument commenced by Mr. Attorney General Clark and continued by Mr. Arnold Raum for the complainant, by Mr. Fred N. Howser for the defendant, and by Mr. Leander I. Shelley for the American Association of Port Authorities, as amicus curiae, by special leave of Court.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, MARCH 14, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Belford Vance Lawson, Jr., It is ordered that Lewis E. Barnes, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred N. Howser, It is ordered that Richard M. Nixon, Esquire, of Whittier, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Gallagher, It is ordered that George R. Gallagher, Esquire, of Albany, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Complainant,

12, Original vs.

The State of California.

Argument continued by Mr. William W. Clary for the defendant; by Mr. Price Daniel for the National Association of Attorneys General, as amicus

curiae, by special leave of Court; and concluded by Mr. Arnold Raum for the complainant.

The United States of America,

Appellant,

585 vs.

Lem Hoy, alias Lim Hoy.

Argued by Mr. Peyton Ford for the appellant. Case submitted by Mr. Henry G. Bodkin for the appellee.

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Proclamation being made the Court is adjourned until Monday, March 17, next, at 12 o'clock.

SATURDAY, MARCH 15, 1947.

The Court met in Special Term pursuant to a call by the Chief Justice having the approval of all the Associate Justices.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

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The Times-Mirror Company, Norman Chandler, F. R. Marx, Jerry Cohen and A. A. Kurze,

Petitioners,

vs.

National Labor Relations Board.

UPON CONSIDERATION of the application of counsel for the petitioners in the above entitled cause,

IT IS ORDERED that execution and enforcement of the order of the Circuit Court of Appeals for the Ninth Circuit, entered herein on March 10, 1947, be, and the same hereby is stayed pending the filing, consideration, and disposition of a petition for writ of certiorari to review the said order providing such petition is filed on or before March 28, 1947. In the event the petition for writ of certiorari is granted, then this stay is to continue pending the final disposition of the case by this Court.

IT IS FURTHER ORDERED that the stay herein ordered shall be effective and operative only on the condition that petitioners shall file herein a bond in the sum of Five Thousand ($5,000) Dollars with good and

sufficient surety to be approved by a judge of the United States Circuit Court of Appeals for the Ninth Circuit, conditioned that if petitioners herein fail to make application for such writ of certiorari within the time limited therefor, or fail to obtain an order granting their application, or fail to make good their plea in the Supreme Court of the United States, they shall answer for all damages and costs which the National Labor Relations Board or other persons who may be injured may sustain by reason of this stay.

IT IS FURTHER ORDERED that the printing of the record for the purpose of the consideration of the application for the writ of certiorari be dispensed with.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, March 17, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Roland F. O'Bryen, Esquire, of Saint Louis, State of Missouri, and Robert F. Schlafly, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. McClure, It is ordered that Maude Ellen White, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., It is ordered that Edward Abbe Niles, Esquire, of New York, State of New York, and Lyman W. Sherwood, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis P. Maniatis, It is ordered that M. J. Sternberg, Esquire, of Jamestown, State of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Kamerow, It is ordered that Jesse H. Chessin, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pickering, It is ordered that Vincent A. Primerano, Esquire, of New Rochelle, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice R. Weeks, It is ordered that Stephen J. Kovrak, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Wesley S. Williams, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward R. Burke, It is ordered that Arthur Markowitz, Esquire, of York, Commonwealth of Pennsylvania, and Judson E. Ruch, Esquire, of York, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew G. Haley, It is ordered that William J. Donahue, Esquire, of Pasadena, State of California, and James A. McKenna, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Vernon Smith, It is ordered that James Arthur Smith, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herzel H. E. Plaine, It is ordered that Isadore Waxman, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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United States Department of Agriculture, Emergency Crop and Feed Loans,

Petitioner,

417 vs.

George G. Remund, as Administrator of the Estate of Wilhelm Buttke, Deceased.

On writ of certiorari to the Supreme Court of the State of South Dakota.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Douglas.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The State of Georgia,

Complainant,

11, Original vs.

The Pennsylvania Railroad Company, et al.

The motion of the State of Alabama for leave to file a petition of intervention is referred to the Special Master for a Special Report at his earliest convenience.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion for leave to file reply brief of Robert E. Lee Jordan as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

Ex parte Frank Copeland,

Petitioner.

119, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Clarence B. Bernard,

Petitioner.

120, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

759 vs.

United Mine Workers of America, an Unincorporated Association;

The United States of America,

Petitioner,

760 vs.

John L. Lewis, Individually and as President of the United Mine Workers of America;

United Mine Workers of America, an Unincorporated Association,

Petitioner,

781 vs.

The United States of America;

John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioner,

782 vs.

The United States of America; and

United Mine Workers of America, an Unincorporated Association, and John L. Lewis, Individually and as President of the United Mine Workers of America,

Petitioners,

811 vs.

The United States of America.

On consideration of the motion of the United States for the issuance of the mandate in these cases prior to the expiration of the 25-day period provided in Rule 34,

It is ordered that the mandate issue March 20, 1947.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

1035 vs.

Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

G. Harold Earle,

Petitioner,

901 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Stewart E. Earle,

Petitioner,

902 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

G. Harold Earle, Petitioner,
903 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Stewart E. Earle, Petitioner,
904 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Herman Bloch, Petitioner,
944 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pioneer Mill Company, Limited, (a Hawaiian Corporation),

Petitioner,

973 vs.

Victoria Ward, Ltd., Victoria Kathleen Ward, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Allen,

Petitioner,

983 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hal Peterson, Charles Peterson, Taylor Cummins, et al.,

Petitioners,

989 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morton Friedman,
Petitioner,
990 vs.
Lewis B. Schwellenbach, Individually and as Secretary of Labor, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward S. Cannon and Charles Smith,
Petitioners,
991 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company,
Petitioner,
992 vs.
Laura Moss.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nowlin Randolph, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1001

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

D. M. W. Contracting Co., Inc., Hartford Accident and Indemnity Company, et al., Petitioners, vs. C. R. Stolz. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

1002

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles (Pete) Blue, Petitioner, vs. The State of Indiana. — On petition for writ of certiorari to the Supreme Court of the State of Indiana.

794

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion that the petition for certiorari should be granted.

Royal Packing Company,

Petitioner,

976 vs.

Paul A. Porter, Price Administrator,
Office of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in place of Paul A. Porter, Price Administrator,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Royal Packing Company,

Petitioner,

976 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stephen T. Povich,

Petitioner,

815 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willis Rogers,
Petitioner,
878 vs.
P. J. Squier, Warden, U. S. Penitentiary, McNeil Island, Washington.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil S. Lucas,
Petitioner,
888 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Ernest,
Petitioner,
1055 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clyde Forsythe,

Petitioner,

1066 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Von Scherer,

Petitioner,

1089 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence E. Cook,

Petitioner,

1045 vs.

The State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Lawrence E. Cook,

Petitioner.

116, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Elliott,

Petitioner,

1073 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Fred Elliott,

Petitioner.

118, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Cartner,

Petitioner,

553 vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kurt Mertig,

Petitioner,

804 vs.

The People of the State of New York; and

Ernest Elmhurst,

Petitioner,

805 vs.

The People of the State of New York.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, March 31, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. I. Jack Martin, It is ordered that Raymond E. Daily, Esquire, of Waverly, State of Ohio; Earl D. Parker, Esquire, of Waverly, State of Ohio; M. J. Cofer, Esquire, of Waverly, State of Ohio; George W. Rittenour, Esquire, of Piketon, State of Ohio; George D. Nye, Esquire, of Waverly, State of Ohio; and Ellsworth Alfred Moats, Esquire, of Chillicothe, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that Herbert R. Elsas, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Russell Bishop, It is ordered that John F. Lang, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. Kaufman, It is ordered that Nevin L. Bitner, Esquire, of Lancaster, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert E. Arent, It is ordered that Louis James Harris, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Marshall Littlepage, It is ordered that Leo Louis Gairaud, Esquire, of San Jose, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kelly Kash, It is ordered that Leo Freedman, Esquire, of New York, State of New York, and Willard Schwartz, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that Birt C. Byrd, Esquire, of Jacksonville, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Johnstone Muir, It is ordered that Earl F. Malverson, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour S. Guthman, It is ordered that Max Bergman, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Max Levinson,

Petitioner,

22 vs.

Spector Motor Service, a Corporation.

On writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black and Mr. Justice Murphy join.

Pyramid Motor Freight Corporation,

Petitioner,

41 vs.

Murray Ispass, Max Granofsky, Harry Brownstein, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause, be, and the same is hereby, vacated insofar as it relates to the respondents other than Louis H. Shapiro. It is also ordered that each party pay its or his own costs in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Hans Max Haupt,

Petitioner,

49 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice Jackson.

Concurring opinion by Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Murphy.

Industrial Commission of Wisconsin, Leo Thomas Kopp and State of Wisconsin,

Petitioners,

270 vs.

E. E. McCartin and Continental Casualty Company.

On writ of certiorari to the Supreme Court of the State of Wisconsin.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Rutledge concurs in the result.

The Penfield Company of California and A. W. Young,

Petitioners,

453 vs.

Securities and Exchange Commission.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed. It is further ordered that the writ of certiorari as to Penfield Company, be, and the same is hereby, dismissed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

People of the State of New York, ex rel. Rose Halvey,

Petitioner,

384 vs.

John F. Halvey, Custodian of John Arthur Halvey.

On writ of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Mr. Justice Jackson concurs in the result.

Concurring opinion by Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Rutledge.

Marion B. Kotch, John L. Richards, Adolph Clark, et al.,

Appellants,

291 vs.

Board of River Port Pilot Commissioners for the Port of New Orleans, et al.

Appeal from the Supreme Court of the State of Louisiana.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Murphy join.

The Interstate Commerce Commission,

Appellant,

72 vs.

A. L. Mechling, Doing Business Under the Trade Name and Style of A. L. Mechling Barge Line, Inland Waterways Corporation, The Secretary of Agriculture, et al.

Appeal from the District Court of the United States for the Northern District of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Black.

Dissenting: Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

564 vs.

The General Industries Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Ohio.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black and Mr. Justice Murphy join.

The Chief Justice announced the following orders of the Court:

ORDER

IT IS ORDERED by the Court that Miss Helen Newman be, and she is hereby, appointed Librarian of this Court in the place of Oscar D. Clarke, deceased.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

253 vs.

The Pullman Company, et al.;

Otis & Company,

Appellant,

254 vs.

The United States of America, et al.;

Appeals from the District Court of the United States for the Eastern District of Pennsylvania.

The Chesapeake & Ohio Railroad Company, et al.,

Appellants,

255 vs.

The United States of America, et al.; and

Glore, Forgan & Co.,

Appellant,

256 vs.

The United States of America, et al.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the final order dated January 4, 1946, in this cause be, and the same is hereby, affirmed by an equally divided Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of these cases.

Robert J. Swem, Order allowing certiorari.

Petitioner,

880 vs.

The People of the State of Michigan.

The petition herein for a writ of certiorari to the Supreme Court of the State of Michigan is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert J. Swem,

Petitioner,

vs.

The People of the State of Michigan.

On writ of certiorari to the Supreme Court of the State of Michigan.

880

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, vacated, each party to pay his or its own costs in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Supreme Court in order to enable it to re-examine its decision in the light of the decision of this Court in DeMeerleer vs. People of the State of Michigan, No. 140, October Term, 1946, decided February 3, 1947.

Per Mr. Chief Justice Vinson.

C. W. Falwell, Jr., and Falwell Fast Freight, Inc.,

Appellants,

vs.

The United States of America, et al.

Appeal from the District Court of the United States for the Western District of Virginia.

1091

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mrs. Mattie L. Smith,

Appellant,

vs.

Jefferson County, Georgia, etc., et al.

Appeal from the Supreme Court of the State of Georgia.

1096

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and on motion to dismiss or affirm,

which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mrs. Mattie L. Smith, Appellant, vs. Jefferson County, Georgia, etc., et al. — Appeal from the Supreme Court of the State of Georgia.

1096

TREATING the appeal papers herein from the Supreme Court of the State of Georgia as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grand Lodge Hall Association, I.O.O.F. of Indiana, a Corporation, et al., Appellants, vs. Ralph F. Moore, as Auditor of Marion County, Indiana, et al. — Appeal from the Supreme Court of the State of Indiana.

1110

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the judgment of the said Supreme Court, in this cause, be, and the same is hereby, granted.

IT IS FURTHER ordered and adjudged that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

ON CONSIDERATION of the petition of the Special Master in this case dated September 7, 1946, for allowance of expenses and compensation;

IT IS ORDERED that Luther Ely Smith, Esquire, be, and he is hereby, awarded the sum of $15,000 as compensation for his services from March 7, 1944 to September 7, 1946.

IT IS FURTHER ORDERED that the expenses of the Special Master amounting to $3,705.36 up to and including September 7, 1946, be, and they are hereby, approved and allowed.

Per Mr. Chief Justice Vinson.

In Re Disbarment of Nathan A. Dobbins.

104, Misc.

It having been reported to the Court that Nathan A. Dobbins, of Washington, D. C., has been disbarred from the practice of the law by the District Court of the United States for the District of Columbia; and this Court by order of February 3, 1947, having suspended the said Nathan A. Dobbins from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

It is ordered that the said Nathan A. Dobbins be, and he is hereby, disbarred, and that his name be stricken from the roll of attorneys admitted to practice in this Court.

Per Mr. Chief Justice Vinson.

In Re Disbarment of Leonard Eriksson.

128, Misc.

O R D E R

It having been reported to the Court that Leonard Eriksson, admitted to the bar of this Court from Fergus Falls, Minnesota, has been disbarred from the practice of law by the Supreme Court of the State of Minnesota;

It is ordered that the said Leonard Eriksson, be, and he is hereby, suspended from the practice of law in this Court, and that a rule issue, returnable within forty (40) days from March 31, 1947, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

Per Mr. Chief Justice Vinson.

Ex parte Dewey White,

Petitioner.

121, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte John Wells,

Petitioner.

123, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Joseph Poresky,

Petitioner.

122, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Standard Oil Company of Indiana,

Petitioner.

124, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus and/or prohibition and/or certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Confederated Bands of The Ute Indians,

Petitioners,

141 vs.

The United States.

IT IS ORDERED that the opinion announced February 17, 1947, be, and the same hereby is, amended as follows: (1) Lines 25 through 35 of page 4 are amended to read: "Pursuant to an act of 1909, 35 Stat. 781, petitioners recovered a judgment for the proceeds of certain lands sold by the Government, as well as the value of certain lands appropriated by the Government to its own use, all of which were part of the 1868 treaty lands. The Ute Indians v. United States, 45 Ct. Cls. 440, 46 Ct. Cls. 225. Thus, except for certain treaty lands not at issue here, litigation concerning which is now pending in the Court of Claims, the only lands in Colorado for which the Indians have not been paid are those to the north of and outside the 1868 treaty reservation which were made available to them by the Executive Order of 1875."

(2) The sentence beginning on line 5 of page 6 is amended to read: "It is conceded that the petitioners have either been, or are currently pressing litigation in the Court of Claims by which they seek to be, compensated for the White River Valley lands, and in fact, for all of the land which was contained in the true boundaries of the 1868 reservation." (3) The sentence beginning on line 2 of page 7 is amended to read: "For the Indians' enjoyment of the White River lands was protected during their stay on the reservation, and the lands have either already been paid for, or are the subject of pending litigation in the Court of Claims whereby the Indians seek payment for them."

Sid W. Richardson, et al.,

Petitioners,

288 vs.

Keith Kelly, Receiver.

ON CONSIDERATION of the motion of counsel for petitioner to retax costs in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company,

Appellant,

385 vs.

M. E. Thompson, State Revenue Commissioner of the State of Georgia.

ON CONSIDERATION of the motion of counsel for appellant to substitute Glenn S. Phillips, State Revenue Commissioner, as the party appellee in this case, in place of M. E. Thompson,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

James Marr, Doing Business as Marr Duplicator Company,

Petitioner,

504 vs.

A. B. Dick Company.

ON CONSIDERATION of the motion of counsel for petitioner for clarification or modification of the order and mandate of this Court in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles L. Smith,

Petitioner,

1036 vs.

Paul A. Porter, Administrator, Office of Price Administration.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Philip B. Fleming, Temporary Controls Administrator, as the party respondent in this case in place of Paul A. Porter, Administrator,

IT IS ORDERED BY THIS COURT that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Daniel F. Rice, Joseph J. Rice, et al., etc.,

Petitioners,

470 vs.

Great Lakes Elevator Corporation, et al.;

Daniel F. Rice, Joseph J. Rice, et al.,

Petitioners,

471 vs.

Board of Trade of the City of Chicago, a Corporation;

Illinois Commerce Commission, et al.,

Petitioners,

472 vs.

Great Lakes Elevator Corporation, et al.;
and

Illinois Commerce Commission, et al.,

Petitioners,

473 vs.

Board of Trade of the City of Chicago,
a Corporation.

Counsel for the petitioners in Nos. 470 and 471 having suggested that one of the co-partners of the firm of Daniel F. Rice & Co., to wit: Walter T. Rice, died on June 8, 1946, and that said firm has been reconstituted with the addition of Joseph A. Fagan as a partner and member thereof, it is ordered that the writs of certiorari be dismissed as to Walter T. Rice and that Joseph A. Fagan be and he hereby is made a party petitioner in Nos. 470 and 471.

Counsel for the petitioners in Nos. 470 and 471 having further suggested that respondent Great Lakes Elevator Corporation has abandoned its service as a warehouse and public storer of grain for hire, it is ordered that the writs of certiorari in Nos. 470 and 472 be dismissed as to respondent Great Lakes Elevator Corporation.

Per Mr. Chief Justice Vinson.

Brotherhood of Locomotive Firemen and Enginemen, Local Lodge No. 926, et al., — Order allowing certiorari.

Petitioners,

908 vs.

Toledo, Peoria & Western Railroad and Farmers Grain Company, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Farmers Grain Company, et al., Order allowing certiorari.

Petitioners,

1047 vs.

Brotherhood of Locomotive Firemen and Enginemen, Local Lodge, No. 926, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Virgil D. Bell, et al., Order allowing certiorari.

Petitioners,

993 vs.

Seton Porter, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

R. P. Hunter, Order allowing certiorari.

Petitioner,

893 vs.

Texas Electric Railway Company.

The petition herein for a writ of certiorari to the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District, is granted and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Petitioner, vs. Arkansas Valley Railway, Inc. — On petition for writ of certiorari to the Court of Claims.

996

It appearing to the Court that the Acting Solicitor General of the United States has filed a motion to dismiss the petition for writ of certiorari in this case;

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Elisa Campos Delgado, et al., Petitioners, vs. Central Cambalache, Inc., et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

735

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Hartmann, as Executor Under the Last Will and Testament of Annie C. Grun, Deceased, Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

859

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph E. White,

Petitioner,

968 vs.

The People of the State of Illinois, ex rel. Lyman F. Martin, et al.

On petition for writ of certiorari to the Appellate Court, First District State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court, First District, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph E. White,

Petitioner,

969 vs.

The People of the State of Illinois, ex rel. Lyman F. Martin, et al.

On petition for writ of certiorari to the Appellate Court, First District, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court, First District, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Maximillian Karl Reichel,

Petitioner,

975 vs.

Ugo Carusi, Commissioner of Immigration and Naturalization Service.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William F. Rokey, Harold McGownd, et al.,
Petitioners,
vs.
Day & Zimmermann, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

994

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Claude Bowers, et al.,
Petitioners,
vs.
Remington Rand, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

995

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

St. Regis Paper Company,
Petitioner,
vs.
Joseph T. Higgins, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

998

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian Jeffries,

Petitioner,

1000 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Ada Bell El, For and on Behalf of Ira Johnson Bey,

Petitioner,

1019 vs.

Walter Nierstheimer, Warden, Menard Psychiatric Division, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Marion T. Smith, Who Sues as Administrator of the Estate of Her Daughter, Helen Walker Le Fever,

Petitioner,

1025 vs.

Hydro Gas Company of West Florida, Inc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Utah Junk Company,

Petitioner,

1029 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. C. Prichard,

Petitioner,

1041 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Union Trust Company, a Corporation, as Trustee Under Paragraph Nineteenth of the Will of Ann Porter, Deceased,

Petitioner,

1043 vs.

Bertha Pauline Genau, et al.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Norfolk Southern Bus Corporation,
Petitioner,
1046 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles F. Connors, Trustee in Bankruptcy of the Agawam Racing and Breeders Association, Inc.,
Petitioners,
1050 vs.
Town of Agawam.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Freeman Alexander,
Petitioner,
1052 vs.
Marjorie Longan Alexander.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. E. Swalley,

Petitioner,

1072 vs.

Addressograph-Multigraph Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Lotto and Joseph Raymond Cullotta,

Petitioners,

971 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the suggestion of the death of petitioner, Joseph Raymond Cullotta, on February 19, 1947, it is ordered by this Court that the petition for writ of certiorari as to Joseph Raymond Cullotta be, and the same is hereby, dismissed.

The petition for writ of certiorari herein as to petitioner, Frank Lotto, is denied.

Per Mr. Chief Justice Vinson.

Al Gavalis,

Petitioner,

1090 vs.

The People of the State of Illinois.

ON CONSIDERATION of the motion to proceed on typewritten papers in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Al Gavalis,
Petitioner,
1090 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ivan L. Wagner,
Petitioner,
866 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald P. Ackley,
Petitioner,
892 vs.
The People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert L. Peyton, Petitioner, vs. Railway Express Agency, Inc.

1016

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter O. Noorlander, Petitioner, vs. The People of the State of California.

1017

On petition for writ of certiorari to the District Court of Appeal, Second Appellate District, State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jose Cases Velazquez, Petitioner, vs. Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

1021

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Duncan Dunscomb,

Petitioner,

1044 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Onondaga County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Seilaci,

Petitioner,

1074 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court, Appellate Division, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Hayes,

Petitioner,

1099 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Clifford Terwilliger,
Petitioner,
1102 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Tioga County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James McGregor,
Petitioner,
1114 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed. Williams,
Petitioner,
1115 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Haupris, Petitioner,

1129 vs.

The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene J. Crowley, Petitioner,

1130 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John E. Gawron, Petitioner,

1131 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Woods,

Petitioner,

1136 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milton Roo Sabin and Bertha Florence Sabin,

Petitioners,

269 O.T. '45 vs.

Home Owners' Loan Corporation, et al.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Bertha Florence Sabin and M. R. Sabin,

Petitioners,

952 O.T. '45 vs.

Home Owners' Loan Corporation, George J. Overmyer and Brenda E. Overmyer.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

Howard E. Mackey,

Petitioner,

182 vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Louis Peskoe,

Petitioner,

874 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The following order was entered:

ORDER

IT IS ORDERED BY THIS COURT that the Order of October 10, 1921, specifying the amount of the fees paid to the Clerk of this Court by attorneys for admission to the Bar of this Court which the Clerk is authorized to retain as personal compensation, which Order was reentered June 6, 1927 and amended June 2, 1944 (effective as of January 1, 1944), be, and it hereby is, further amended, effective as of April 1, 1947, to read and provide as follows:

"ORDERED that the fees paid to the Clerk by attorneys for admission to the Bar of the Court, which are not included in the costs, fees, and emoluments of which, under the Acts of March 3, 1883, 22 Statutes, 631, and Section 8 of the Act of March 15, 1898, 30 Statutes, 317, the Clerk is required to make return to the Attorney General, shall, over and above $9,000.00, in any one year, be kept as a fund to be expended under the order

of the Court, first, for the reimbursement of the Clerk for any costs, and fees in litigated cases, in which the parties, or either of them, are authorized to proceed in forma pauperis; second, to reimburse the Clerk for any deficit which may arise in the running of his office, including his personal compensation under the Act of March 3, 1883, as aforesaid; and third, for any other purpose deemed proper and ordered by the Court."

Per Mr. Chief Justice Vinson.

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Joseph T. Harrington, Registered and Duly Qualified Voter, and all Voters Similarly Situated,

Appellant,

No. ___ vs.

Edmund K. Jarecki, Harry A. Lipsky, Mabel G. Reinecke, et al., etc.

Motion for injunction submitted by Mr. Joseph T. Harrington for the appellant and the motion denied.

Per Mr. Chief Justice Vinson.

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Peter Caldarola,

Petitioner,

625 vs.

Gerda Eckert and Thor Eckert, Jr., Partners Doing Business Under the Firm Name of Thor Eckert & Co.

Argument commenced by Mr. Abraham M. Fisch for the petitioner and continued by Mr. Raymond Parmer for the respondents. Leave granted respondents to file reply brief within one week.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, APRIL 1, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles M McLaughlin, It is ordered that William H. Holt, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Jasper Bell, It is ordered that Daniel Leon Brenner, Esquire, of Kansas City, Stat of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claude L. Dawson, It is ordered that Paul Flaherty, Esquire, of Washington, District Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Ramage Lewis, It is ordered that Raymond Edwin Steele, Esquire, of Washin District of Columbia, be admitted to practice as an Attorney and Counsello of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde B. Charlton, It is ordered that Thomas B. Roberts, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles M. Trammell, It is ordered that John A. Stewart, Esquire, of Bradenton, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Irene Kennedy, It is ordered that Mary-Frances Glenn, of Washington, District of Columbia, and Elizabeth V. Franzoni, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Miss)

On motion first made to the Court in this behalf by Mr. William S. Cole, It is ordered that Charles Adams Perry, Esquire, of Camden, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald A. Gardiner, It is ordered that John Arthur Gross, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour S. Spector, It is ordered that Harry Adelberg, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Lowell Mundorff, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis W. Hill, Jr., It is ordered that Howard P. Saunders, Esquire, of Amarillo, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David D. Hochstein, It is ordered that Arthur C. Latina, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Peter Caldarola,

Petitioner,

625 vs.

Gerda Eckert and Thor Eckert, Jr., Partners Doing Business Under the Firm Name of Thor Eckert & Co.

Argument concluded by Mr. Raymond Parmer for the respondents. Leave granted petitioner to file brief within one week after service of reply brief of respondents.

Myrl Alexander, Warden,

Petitioner,

840 vs.

United States, ex rel. John Myron Kulick; and

Theodore Martin Sunal,

Petitioner,

535 vs.

David R. Large, Superintendent, Federal Prison Camp, Mill Point, W. Va.

Argued by Mr. Irving S. Shapiro for the petitioner in No. 840 and the respondent in No. 535, and by Mr. Hayden Covington for the respondent in No. 840 and the petitioner in No. 535.

James G. Raley and Thomas E. Raley,
Trading as Raley's Food Store,

Petitioners,

512 vs.

Philip B. Fleming, Temporary Controls
Administrator; and

Philip B. Fleming, Temporary Controls
Administrator,

Petitioner,

583 vs.

Mohawk Wrecking and Lumber Company,
a Partnership, and Harry Smith.

Argued by Mr. David London for the respondent in No. 512 and the petitioner in No. 583, and by Mr. John W. Babcock for the respondents in No. 583, and submitted by Mr. C. L. Dawson and Mr. Paul Flaherty for the petitioners in No. 512.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Dwight L. Rogers, It is ordered that George A. Smathers, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Eleanor Clagett Guthridge, It is ordered that Frances Helen Scardefield, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Charles E Pledger, Jr., It is ordered that Hyman Jacob Cohen, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Thayer Chapman, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barney Joseph Keren, It is ordered that August W. Heckman, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton I. Baldinger, It is ordered that Edward David Wyner, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Saul Richard Gamer, It is ordered that Percy R. Peck, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. Homer Ferguson, It is ordered that Humphreys Springstun, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

606 vs.

Samuel Bayer, Elias Bayer and Walter V. Radovich.

Argued by Mr. Frederick Bernays Wiener for the petitioner, by Roger Robb for the respondent Radovich, and by Mr. Charles H. Tuttle for the respondents Samuel and Elias Bayer.

Champion Spark Plug Company,

Petitioner,

680 vs.

Peter Sanders, et al., Doing Business as The Perfect Recondition Spark Plug Company.

Argument commenced by Mr. Samuel E. Darby, Jr., for the petitioner and continued by Mr. John Wilson Hood for the respondents.

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THURSDAY, APRIL 3, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Harvey C. Hartwig, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Murray, It is ordered that Joseph Francis Meglen, Esquire, of Butte, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Whitman Knapp, It is ordered that Frank S. Hogan, Esquire, of New York, State of New York; Joseph A. Sarafite, Esquire, of New York, State of New York; and Eugene A. Leiman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Bronz, It is ordered that Florence Hodel, of New York, State of New York; Dorothea Grater Minskoff, of New York, State of New York; and Emanuel H. Minskoff, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver Massuener, It is ordered that John W. Watson, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank M. Ludwick, It is ordered that Elbert Allen Taylor, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Clinton James, It is ordered that Harry Friedman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur Carpenter Elgin, It is ordered that Sara Blanche McGrann, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Hamilton Houston, It is ordered that Geo. L. Vaughn, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Champion Spark Plug Company,

Petitioner,

680 vs.

Peter Sanders, et al., Doing Business as The Perfect Recondition Spark Plug Company.

Argument concluded by Mr. John Wilson Hood for the respondents.

Roy Bartels, et al. and Justin Conlon, d.b.a. Crystal Ballroom,

Petitioners,

731 vs.

E. H. Birmingham, Individually and as Collector of Internal Revenue for the State of Iowa, et al.; and

Larry V. Geer and Margaret Geer, d.b.a.
Larry Geer Ballrooms,

Petitioners,

732 vs.

E. H. Birmingham, Individually and as
Collector of Internal Revenue for the
State of Iowa.

Argument commenced by Mr. Thomas B. Roberts for the petitioners; continued by Mr. Robert A. Wilson for the respondents, Williams, et al.; by Mr. Robert L. Stern for the respondent, Birmingham, Collector, etc.; and concluded by Mr. Clyde B. Charlton for the petitioners.

Joseph S. Fay,

Petitioner,

377 vs.

The People of the State of New York; and

James Bove,

Petitioner,

452 vs.

The People of the State of New York.

Argued by Mr. Harold R. Medina for the petitioner in No. 377 and by Mr. Whitman Knapp for the respondent. Submitted by Mr. Moses Polakoff and Mr. Samuel Mezansky for the petitioner in No. 452. Leave granted petitioners to file reply brief by Tuesday, next.

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Proclamation being made the Court is adjourned until Monday, April 7, next, at 12 o'clock.

MONDAY, APRIL 7, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. Mayhew Cunningham, Jr., It is ordered that Philip H. Alston, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey L. Rabbitt, It is ordered that Edward Emmet Heavey, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl B. Wilkinson, It is ordered that J. Alfred Moran, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald R. Richberg, It is ordered that Norman B. Gray, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman P. Eberharter, It is ordered that Leonard Shapiro, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton S. Kronheim, Jr., It is ordered that Albert Martin Cohen, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel A. Reed, It is ordered that James A. Tawney, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Bruce's Juices, Inc.,
Petitioner,
vs.
American Can Company.

27

On writ of certiorari to the Supreme Court of the State of Florida.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was reargued by counsel upon the granting of a petition for rehearing.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black Mr. Justice Douglas, and Mr. Justice Rutledge join.

Bethlehem Steel Company, Edward F. Entwisle, Chauncey L. Baker, et al.,
Appellants,
vs.
New York State Labor Relations Board.

55

Appeal from the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the

same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Separate opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Rutledge join.

The Allegheny Ludlum Steel Corporation, Appellant,

76 vs.

William J. Kelley and H. Myron Lewis, Constituting the State Labor Relations Board of the State of New York.

Appeal from the Supreme Court of the State of New York, County of Chautauqua.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, County of Chautauqua, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the Court of Appeals of New York, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Separate opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Rutledge join.

Emory S. Land (Chairman, United States Maritime Commission), Howard L. Vickery (Vice Chairman, United States Maritime Commission), et al., Petitioners,

207 vs.

R. Stanley Dollar, Dollar Steamship Line, The J. Harold Dollar Estates Company, et al.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The order of this Court substituting the new members of the Maritime Commission as petitioners is vacated so that the District Court

may consider motions for substitution on the remand of the case to that court. The judgment of the Court of Appeals is affirmed and the case is remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Reed.

Mr. Justice Black took no part in the consideration or decision of this case.

The United States of America, Petitioner,
430 vs.
Ogilvie Hardware Company, Inc.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Louisiana.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed joins.

The United States of America, Appellant,
585 vs.
Lem Hoy, Alias Lim Hoy.

Appeal from the District Court of the United States for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Separate opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Rutledge join.

The Allegheny Ludlum Steel Corporation, Appellant,

76 vs.

William J. Kelley and H. Myron Lewis, Constituting the State Labor Relations Board of the State of New York.

Appeal from the Supreme Court of the State of New York, County of Chautauqua.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, County of Chautauqua, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the Court of Appeals of New York, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Separate opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Rutledge join.

Emory S. Land (Chairman, United States Maritime Commission), Howard L. Vickery (Vice Chairman, United States Maritime Commission), et al., Petitioners,

207 vs.

R. Stanley Dollar, Dollar Steamship Line, The J. Harold Dollar Estates Company, et al.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The order of this Court substituting the new members of the Maritime Commission as petitioners is vacated so that the District Court

may consider motions for substitution on the remand of the case to that court. The judgment of the Court of Appeals is affirmed and the case is remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Reed.

Mr. Justice Black took no part in the consideration or decision of this case.

The United States of America,
Petitioner,
vs.
430
Ogilvie Hardware Company, Inc.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Louisiana.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed joins.

The United States of America,
Appellant,
vs.
585
Lem Hoy, Alias Lim Hoy.

Appeal from the District Court of the United States for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

The Chief Justice announced the following order of the Court:

The United States of America, Appellant, vs. Lionel Palletz. — Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

1100

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The United States of America, Appellant, vs. Franklin P. Kromer. — Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

1101

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In re Shad Polier.

No. ____.

ON CONSIDERATION of the motion to amend the roll of attorneys to show the change of name of Isadore Polier to Shad Polier,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Ex parte Ralph Barton Butz,

Petitioner.

125, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Edward J. Sterba, Jr.,

Petitioner.

126, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Annie C. Lewis,

Petitioner.

127, Misc.

ON CONSIDERATION of the petition for the allowance of an appeal herein,

IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte John S. Snyder,

Petitioner.

131, Misc.

ON CONSIDERATION of the petition for appeal presented to Mr. Justice Douglas and by him referred to the Court,

IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. N. Cone,

Petitioner,

184 vs.

West Virginia Pulp and Paper Company.

ON CONSIDERATION of the motion of counsel for respondent as to costs in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Virgil D. Bell, et al., Petitioners,

993 vs.

Seton Porter, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

The order of this Court entered March 31, 1947, granting a petition for writ of certiorari in this case is vacated.

On reconsideration of the petition for writ of certiorari herein, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James F. Morris,

Petitioner,

425 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, limited to the second question presented by the petition for the writ and the case is transferred to the summary docket. The Interstate Commerce Commission is invited to file a brief amicus curiae if so advised.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Fred Y. Oyama and Kajiro Oyama,

Petitioners,

1059 vs.

State of California.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of California is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Morris H. Senderowitz, et al., Individually and as Co-Partners Trading as Royal Manufacturing Company,

Petitioners,

677 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris H. Senderowitz, et al., Individually and as Co-Partners Trading as Royal Manufacturing Company,

Petitioners,

678 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Denny Martini and Mildred Martini, Individually and Doing Business as Lakeside Cut-Rate Liquor Store,

Petitioners,

813 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles J. Culligan,

Petitioner,

985 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. W. Thomas,
Petitioner,
vs.
State of Florida.

1048

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary V. Chaney,
Petitioner,
vs.
Holly Stover.

1065

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John C. Cleaver,
Petitioner,
vs.
Commissioner of Internal Revenue.

1067

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Josephine M. Moss, Administratrix of the Estate of Nicholas John Moss, Deceased,

Petitioner,

1070 vs.

The Pennsylvania Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Della Hook, Administratrix of the Estate of Jacob Hook, Deceased,

Petitioner,

1071 vs.

National Brick Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pacific Electric Railway Company,

Petitioner,

1077 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator,

Petitioner,

1080 vs.

Christine Collins, et al.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator,

Petitioner,

1081 vs.

Adolph Hirsch.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator,

Petitioner,

1082 vs.

W. M. Morrison, et al.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stuart Morrison Wilson,
Petitioner,
vs.
1084
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lacy D. Kirkmyer, G. Clifford Kirkmyer and L. D. Kirkmyer, et al.,
Petitioners,
vs.
1087
Arkansas Fuel Oil Company, a West Virginia Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Chanady,
Petitioner,
vs.
1093
Detroit Sheet Steel Works.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Certified Oil Company, Inc., Bankrupt, and Harold F. Fishbeck,
Petitioners,
vs.
1119
George J. Rudnick and Harry Rice.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein

ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ira B. Armstein,
Petitioner,
1106 vs.
Cole Porter.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Johnson,
Petitioner,
1061 vs.
John F. Foster, Warden of Auburn Prison, Auburn, New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Appellate Division, Fourth Department.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Whited,
Petitioner,
1124 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Rios,

Petitioner,

1146 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Bartell,

Petitioner,

1148 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Stengel,

Petitioner,

1151 vs.

C. J. Burke, Warden, Eastern State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Jones,

Petitioner,

1153 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Federal Power Commission, et al.,

Petitioners,

543 vs.

Arkansas Power & Light Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jane V. Buckner and Leon Buckner,

Petitioners,

910 vs.

Fred A. Tweed, Trading as F. A. Tweed Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Sanitary District of Chicago,

Petitioner,

953 vs.

Activated Sludge, Inc., Activated Sludge, Ltd., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, April 14, until Monday, April 28, next.

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Jack Gorum and National Mutual Casualty Company,

Petitioners,

575 vs.

Ruby O. Loudenslager and Charlotte Loudenslager.

ON CONSIDERATION of the application to extend the time within which to file brief for respondents in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted and the time is extended to and including April 26, 1947.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al.,

Petitioners,

1200 vs.

Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1201 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1202 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1203 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1204 vs.
Chicago Transit Authority, et al.; and

Charles H. Worcester, et al.,
Petitioners,
1205 vs.
Chicago Transit Authority, et al.

ON CONSIDERATION of the application to extend the time to make service of petition, brief, and record in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted and the time is extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Philip B. Fleming, Temporary Controls Administrator,

Appellant,

682 vs.

Dusty Rhodes, Sheriff, Tarrant County, Texas, et al.

Argued by Mr. Samuel Mermin for the appellant. No appearance for the appellees. Leave granted appellant to file additional brief.

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and the Ohio Oil Company.

Argued by Mr. Marvin J. Sonosky for the complainant and by Mr. C. R. Ellery and Mr. Donald R. Richberg for the defendants.

Ayrshire Collieries Corporation, et al., and Chicago, Milwaukee, St. Paul and Pacific Railroad Company,

Appellants,

467 vs.

The United States of America, Interstate Commerce Commission, et al.

Argument commenced by Mr. Earl B. Wilkinson for the appellants, Ayrshire Collieries Corporation, et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Gerard D. Reilly, It is ordered that Philip J. Murphy, Esquire, of Worcester, Commonwealth of Massachusetts, and John D. O'Reilly, Jr., Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Barnes Young, It is ordered that Richard Arens, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard [illegible] Walsh, It is ordered that John F. Cooney, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Dumbauld, It is ordered that Ruth Anna Erb Adams, of Chicago, State of Illinois, and Varian B. Adams, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Mrs.)

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that James D. Avance, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Mary M. Connelly, It is ordered that Frances J. Ehlers, of Silver Spring, State of Maryland, and Hazel D. Huffman, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Miss)

On motion first made to the Court in this behalf by Mr. David W. Louisell, It is ordered that Albert S. Abel, Esquire, of Morgantown, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that Julius Cohn, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Fulwiler, It is ordered that Charles Sanford Maddock, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Wheeler, It is ordered that Joseph Sutherland Wright, Esquire, of Havre, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard C. Gilmer, Jr., It is ordered that John R. L. Johnson, Jr., Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Robert E. Masters, Esquire, of Fort Wayne, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Ayrshire Collieries Corporation, et al.
and Chicago, Milwaukee, St. Paul and
Pacific Railroad Company,

Appellants,

467 vs.

The United States of America, Interstate
Commerce Commission, et al.

Argument continued by Mr. Earl B. Wilkinson for the appellants, Ayrshire Collieries Corporation, et al.; by Mr. Carson L. Taylor for the appellant, Chicago, Milwaukee, St. Paul and Pacific Railroad Company; by Mr. Daniel W. Knowlton for the appellees, The United States and Interstate Commerce Commission; and concluded by Mr. Charles W. Stadell for the appellees, Central Illinois District Coal Traffic Bureau, et al.; and case submitted by Mr. Erle J. Zoll, Jr., for the appellees, Alton Railroad Company (Henry A. Gardner, Trustee), et al.

Ira J. McCullough,

Petitioner,

755 vs.

Kammerer Corporation and Baash-Ross
Tool Company.

Argued by Mr. A. William Boyken for the petitioner and by Mr. Leonard S. Lyon for the respondents.

The United States of America,

Petitioner,

235 vs.

Standard Oil Company of California and
Ira Boone.

Argument commenced by Mr. Frederick Bernays Wiener for the petitioner and continued by Mr. Frank B. Belcher for the respondent.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin R. Morrison, It is ordered that Robert L. Hecker, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frazer Frost Hilder, It is ordered that Charles F. Chisholm, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Dolan, It is ordered that Helen L. Clagett, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Frank Walsh Glenn, It is ordered that Claud J. N. Weber, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Beatrice Rosenberg, It is ordered that Charles M. Ellner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cecil A. Beasley, Jr., It is ordered that Richard Riddle Fisher, Esquire, of Maplewood, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Linton M. Collins, It is ordered that Richard Frederick Wood, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Randolph C. Shaw, It is ordered that Gilbert A. Cuneo, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward J. Fruchtman, It is ordered that Martin Kurasch, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

235 vs.

Standard Oil Company of California and Ira Boone.

Argument continued by Mr. Frank B. Belcher for the respondents and concluded by Mr. Frederick Bernays Wiener for the petitioner.

Atlantic Coast Line Railroad Company,

Appellant,

385 vs.

Glenn S. Phillips, State Revenue Commissioner of the State of Georgia.

by Mr. Claude Shaw, Jr., and by Mr. Victor Davidson for the appellee, and concluded by Mr. T. M. Cunningham for the appellant.

Rutherford Food Corporation and the
George Kaiser Packing Company,

Petitioners,

562 vs.

L. Metcalfe Walling, Administrator of
the Wage and Hour Division, United States
Department of Labor.

Argument commenced by Mr. E. R. Morrison for the petitioners and continued by Miss Bessie Margolin for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hale Boggs It is ordered that Philip R. Collins, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Patterson, It is ordered that Evelyn Lang Krupp, of Washington, District of Columbia; Blanche M. Margason, of Washington, District of Columbia; George Knox McMullan, Esquire, of Washington, District of Columbia; and Ernest H. Davies, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.
(Mrs.; Miss)

On motion first made to the Court in this behalf by Mr. Samuel Kaufman, It is ordered that David Glick, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Stafford, It is ordered that Louis M. Samuels, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Glen D. Johnson, It is ordered that J. Kenneth Hogue, Esquire, of Carnegie, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Frank Gaffney, It is ordered that Francis X. Driscoll, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claire Woodworth Hardy, It is ordered that Jay W. Scovel, Esquire, of Independence, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Slaff, It is ordered that William J. Rapp, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Manuel M. Gorman, It is ordered that John F. Neville, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee I. Park, It is ordered that Eugene A. Levinson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis W. McKernan, It is ordered that Charles E. McGee, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton K. Eckert, It is ordered that E. Margaret Lamoreaux, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Claude W. Dudley, It is ordered that Wm. Marvey Reeves, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver J. Dompierre, It is ordered that Clayton C. Purdy, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrell O. Meagland, It is ordered that Frank H. Weitzel, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Joseph E. Ragen, Warden, Illinois State Penitentiary,

Petitioner,

1196 vs.

The United States of America, ex rel. John H. Rooney.

ON CONSIDERATION of the application to extend the time to make service of petition, brief and record in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted and the time is extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

Louise Peete,

Petitioner,

1229 vs.

The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this

Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise Peete, Petitioner, vs. The People of the State of California.

1229

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion of counsel for petitioner for a stay of the death sentence in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Rutherford Food Corporation and The George Kaiser Packing Company, Petitioners, vs. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

562

Argument continued by Miss Bessie Margolin for the respondent and concluded by Mr. E. R. Morrison for the petitioners. Leave granted counsel for the petitioners to file additional brief within one week and to counsel for the respondent to reply within one week thereafter. Motion to substitute William R. McComb, present Administrator of the Wage and Hour Division, United States Department of Labor, as the party respondent in the place and stead of L. Metcalfe Walling, resigned, submitted by Miss Bessie Margolin for the respondent.

Commissioner of Internal Revenue,

Petitioner,

674 vs.

Sidney S. Munter; and

Commissioner of Internal Revenue,

Petitioner,

675 vs.

Carl Munter.

Argued by Mr. Lee A. Jackson for the petitioner and by Mr. Samuel Kaufman for the respondents. Leave granted petitioner to file reply brief within one week and respondent a reasonable time thereafter.

Harrison Williams, Clifford F. Stone, Sidney J. Weinberg, et al.,

Petitioners,

850 vs.

Carl J. Austrian and Robert G. Butcher, as Trustees of Central States Electric Corporation.

Argument commenced by Mr. Milton Pollock for the petitioners and continued by Mr. Carl J. Austrian for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, APRIL 11, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Tom C. Clark, It is ordered that Oliver Dibble, Esquire, of Washington, District of Columbia; Edward Molenof, Esquire, of Washington, District of Columbia; John D. Lane, Esquire, of Washington, District of Columbia; Sylvan Schwartz, Esquire, of Washington, District of Columbia; Helena D. Reed, of Washington, District of Columbia; Arthur J. McLaughlin, Esquire, of New Haven, State of Connecticut; John P. Burke, Esquire, of Butte, State of Montana; Sidney S. Sachs, Esquire, of Washington, District of Columbia; and Joseph F. Lawless, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Milton Pollack, It is ordered that Abraham N. Geller, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Alexander Bell, It is ordered that Welford J. Massie, Esquire, of Arlington, Commonwealth of Virginia; Edwin W. Cimokowski, Esquire, of Philadelphia, Commonwealth of Pennsylvania; and John R. Hoye, Esquire, of Uniontown, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett W. Mattoon, It is ordered that S. C. Masterson, Esquire, of Richmond, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Francis Meyer, Jr., It is ordered that Robert Hall McCaw, Esquire, of Oakland State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Knuff, It is ordered that Albert L. O'Connor, Esquire, of Loretto, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Leahy, It is ordered that Harold R. Korey, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Quinn, It is ordered that Alberto Pico, Esquire, of San Juan, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Friedman, It is ordered that A. Bruce Wright, Esquire, of Palo Alto, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley E. Disney, It is ordered that Giles C. Peterson, Esquire, of Cheyenne, State of Oklahoma, and Jerry N. Griffin, Esquire, of Weatherford, State of Oklahoma be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Jack Martin, It is ordered that Robert E. Teaford, Esquire, of Columbus, State of Ohio, and Paul M. Herbert, Esquire, of Columbus, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn

On motion first made to the Court in this behalf by Mr. Clarence E. Dawson, It is ordered that William J. Junkerman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Charles H. Worcester, et al.,
Petitioners,
1200 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1201 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1202 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1203 vs.
Chicago Transit Authority, et al.;

Charles H. Worcester, et al.,
Petitioners,
1204 vs.
Chicago Transit Authority, et al.; and

Charles H. Worcester, et al.,

Petitioners,

1205 vs.

Chicago Transit Authority, et al.

Motion that disposition of petition for certiorari be advanced submitted by Mr. Werner W. Schroeder for the respondents.

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Harrison Williams, Clifford F. Stone, Sidney J. Weinberg, et al.,

Petitioners,

850 vs.

Carl J. Austrian and Robert G. Butcher, as Trustees of Central States Electric Corporation.

Argument continued by Mr. Carl J. Austrian for the respondents and concluded by Mr. Milton Pollock for the petitioners.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

626 vs.

Alvina Allen, Gertrude Dinwiddie, Hilda Pigozzi, et al.

Argued by Mr. Harry Leroy Jones for the petitioner, by Mr. S. C. Masterson for the respondents, and by Mr. Everett W. Mattoon for the State of California, as amicus curiae, by special leave of Court.

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Proclamation being made the Court is adjourned until Monday, April 14, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that Byron E. Kabot, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl T. Curtis, It is ordered that James N. Ackerman, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray J. Madden, It is ordered that George Cohan, Esquire, of Gary, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Sonnett, It is ordered that Frederick L. Kane, Esquire, of New York, State of New York, and Rodolfo A. Correa, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George J. Sadowski, It is ordered that Robert J. Wojcinski, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Royal E. Jackson, It is ordered that Alfred F. Draper, Esquire, of Gary, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Graff Miller, It is ordered that Charles Edward Thomas, Esquire, of Stoneboro Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James W. Scott, It is ordered that Theobald J. Dengler, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that Waymon Belton McLeskey, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy C. Hackley, Jr., It is ordered that Harry Kotlar, Esquire, of Davenport, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur Gorman Lambert, It is ordered that Richard Kingsbury Stevens, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Mabel Walker Willebrandt, It is ordered that Louis J. Glicksberg, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Carolyn Royall Just, It is ordered that Katharine Dixon Agar, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. James I. Dolliver, It is ordered that Tim J. Campbell, Esquire, of Newton, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Arthur Smith, It is ordered that Robert J. Flint, Esquire, of Coudersport, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. O'Brien, It is ordered that Charles H. Davis, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice W. Covert, It is ordered that Harold C. Hanke, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Roy Thompson, Jr., It is ordered that Frank E. Ransdell, Esquire, of Hominy, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Leventhal, It is ordered that Sidney Orenstein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Raum, It is ordered that Walter Alfred John, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fulton M. Brylawski, It is ordered that Harold Julian Sherman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Trailmobile Company and International Union, United Automobile, Aircraft and Agricultural Workers of America, U. A. W. - C. I. O. Local No. 392,

Petitioners,

85 vs.

Lawrence Whirls.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause, be, and the same is hereby, reversed without costs but without prejudice from the decision here to respondent's assertion in the future of any rights he may have against the Trailmobile Company or the collective agent on account of their acts not presented on the record in this case or involved in the issues determined by the decision of this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Independent Warehouses, Inc., Pennsylvania Coal Company, Erie Railroad Company and James Thompson,

Appellants,

vs.

William Scheele, Recorder of the Township of Saddle River, and the Township of Saddle River.

Appeal from the Court of Errors and Appeals of the State of New Jersey.

83

THIS CAUSE came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgments of the said Court of Errors and Appeals, in this cause, be, and the same are hereby, affirmed with costs.

Per Mr. Justice Rutledge.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Chief Justice Vinson joins.

United States National Bank in Johnstown and First National Bank of South Fork,

Petitioners,

vs.

Chase National Bank of the City of New York and Lester Larimer, Trustee.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

371

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Pennsylvania for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Frankfurter is of the opinion that the order of the District Court should be restored on the ground that the creditors entered into an agreement which was not objectionable under Sec. 57 (h) of the Bankruptcy Act, whereby the liens of the petitioners were saved.

Mr. Justice Jackson concurs in the result. Mr. Justice Douglas dissents.

Beulah B. Crane,

Petitioner,

68 vs.

Commissioner of Internal Revenue.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter and Mr. Justice Douglas join.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

74 vs.

Halliburton Oil Well Cementing Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the judgment.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black concurs.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Benjamin Rockower,

Petitioner.

129, Misc.

ON CONSIDERATION of the request of the petitioner for leave to withdraw the application herein,

IT IS ORDERED by this Court that the said request be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

John M. Fahey, et al.,

Petitioners,

133, Misc. vs.

Hon. Peirson M. Hall, Judge, etc.

A rule is ordered to issue, returnable Monday, April 28, next, requiring the respondents to show cause why leave to file the petition for writ of mandamus and/or prohibition and/or injunction should not be granted. The cause is assigned for argument on the return to the rule immediately following the hearing in Fahey v. Mallonee, No. 687. All proceedings tending to effectuate the order of the District Judge granting a motion with respect to costs and expenses of certain appellees in case No. 687 and counsel fees are hereby stayed pending the further order of this Court.

Per Mr. Chief Justice Vinson.

Interstate Natural Gas Company, Incorporated,

Petitioner,

733 vs.

Federal Power Commission, et al.

ON CONSIDERATION of the motion of American Petroleum Institute and others for leave to appear and present oral argument as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

823 vs.

Paul Evans.

It is ordered that David Ginsburg, Esquire, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the appellee in this case.

Per Mr. Chief Justice Vinson.

Al Williams and Al Williams Health System of Los Angeles, Inc., — Order allowing certiorari.

Petitioners,

1083 vs.

Michael J. Fanning, Individually and as Postmaster of the City of Los Angeles, California.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, limited to the first question presented by the petition for the writ and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Frank Walter Mogall, — Order allowing certiorari.

Petitioner,

1092 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator, Office of Temporary Controls,

Petitioner,

875 vs.

Royal Lee, Doing Business as Vitamin Products Company.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mayfair Meat Packing Corp. and John Carr,

Petitioners,

1015 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nicholas J. Curtis,

Petitioner,

1049 vs.

Hon. Guy L. Fake, U. S. District Judge, Utah Fuel Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Saul S. Freeman, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1068

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Saul S. Freeman, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1069

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vacu-Matic Carburetor Company, Petitioner, vs. Federal Trade Commission. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1078

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Salvadore Perniciaro,
Petitioner,
1085 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

First National Bank in Houston, et al.,
Petitioners,
1086 vs.
Frank Scofield, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elizabeth Arden, Inc., Elizabeth Arden Sales Corporation and Florence N. Lewis,
Petitioners,
1094 vs.
Federal Trade Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward C. Commers,
Petitioner,
1103 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mason & Dixon Lines, Incorporated,
Petitioner,
1117 vs.
Commonwealth of Virginia, at the Relation of State Corporation Commission.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein t the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gertrude M. Decker, et al., Executors of the Estate of Jos. B. Decker, Deceased and Gertrude M. Decker, Individually,
Petitioners,
1122 vs.
G. H. Kann and W. L. Kann.

On petition for writ of certiorari to the Supreme Court of the Com[illegible] wealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein t the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by thi Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph N. Weil, Petitioner, vs. H. F. Haessler Hardware Co. — On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

1126

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wisconsin, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dimas Ygnacio Ybarra Amaya, et al., Petitioners, vs. Stanolind Oil and Gas Company, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1127

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ethel S. Pauling, Petitioner, vs. Lorette Pauling. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

1181

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al.,

Petitioners,

1200, 1201, 1202, 1203, 1204 & 1205

vs.

Chicago Transit Authority, et al.

ON CONSIDERATION of the motion of counsel for respondents to advance the consideration of the petition for writ of certiorari in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al., Petitioners,

1200 vs.

Chicago Transit Authority, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al., Petitioners,

1201 vs.

Chicago Transit Authority, et al..

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al., Petitioners, vs. Chicago Transit Authority, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1202

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al., Petitioners, vs. Chicago Transit Authority, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1203

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al., Petitioners, vs. Chicago Transit Authority, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1204

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Worcester, et al., Petitioners,
1205 vs.
Chicago Transit Authority, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Durrett, Petitioner,
999 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald E. Hasson, Petitioner,
1013 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clifford James Lane, Petitioner, vs. The People of the State of New York.

1118

On petition for writ of certiorari to the County Court of Oneida County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Slater, Petitioner, vs. The People of the State of New York.

1125

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Martin, Petitioner, vs. The People of the State of New York.

1132

On petition for writ of certiorari to the County Court of Rockland County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Conrad Bordeleau,

Petitioner,

1145 vs.

The People of the State of New York.

On petition for writ of certiorari to the Court of General Sessions of the City and County of New York, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James W. Ross,

Petitioner,

1171 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Poppo,

Petitioner,

1192 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil S. Lucas,

Petitioner,

888 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward S. Cannon and Charles Smith,

Petitioners,

991 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence E. Cook,

Petitioner,

1045 vs.

The State of Indiana.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Walter E. Meyer, Intervener,

Petitioner,

909 vs.

Berryman Henwood, as Trustee of St. Louis Southwestern Railway Company Lines, et al.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to and including May 23, 1947.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

1143 vs.

Mt. Clemens Pottery Company, Steve Anderson, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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MONDAY, APRIL 28, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Meyer L. Casman, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fadjo Cravens, It is ordered that Margaret Valentine, of Fort Smith, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. David P. Doyle, It is ordered that Mack M. Greenberg, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melvin W. Sandmeyer, It is ordered that Elwood S. Hendrick, Esquire, of Berkeley, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Jennings, Jr., It is ordered that Charles C. Burks, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Biddle, It is ordered that John Wintersteen, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry O. Glasser, It is ordered that N. Scarritt, Esquire, of Enid, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. Wallis, It is ordered that Raymond Tremaine, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Frank, It is ordered that Robert L. Austin, Esquire, of Anderson, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Marx, It is ordered that William C. Kelly, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton W. King, It is ordered that Ellis Bell Miller, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Donelan, It is ordered that Richard J. Gleason, Esquire, of Chicago, State of Illinois, and Gerald H. Moye, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice W. Covert, It is ordered that Sam A. Kessler, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wyckoff Westover, It is ordered that Steadman Garretson Smith, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Mermin, It is ordered that Arthur Warner, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry O. Wallace, It is ordered that Frederick Henry McCasek, Esquire, of Long Beach, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. O. Stanley, It is ordered that Carroll M. Redford, Esquire, of Glasgow, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Carroll, It is ordered that Vernon V. Ketring, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Murray Seasongood, It is ordered that Joseph A. Segal, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Ayrshire Collieries Corporation et al., and Chicago, Milwaukee, St. Paul, and Pacific Railroad Company,

Appellants,

vs.

The United States of America, Interstate Commerce Commission, et al.

Appeal from the District Court of the United States for the Southern District of Indiana.

467

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Indiana

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, vacated and the appeal herein is dismissed. Appellants will be free to suggest that the District Court be reconvened in accordance with the Urgent Deficiencies Act of October 22, 1913, so that three judges may hear and determine the application to enjoin the order of the Commission in issue.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Rutledge.

Philip B. Fleming, Temporary Controls Administrator,

Petitioner,

vs.

583

Mohawk Wrecking and Lumber Company, a Partnership, and Harry Smith.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record fro the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The motion of counsel for respondents to vacate the order of this Court substituting Philip B. Fleming, Temporary Controls Administrator, for Paul A. Porter, Price Administrator, is denied. The judgment of the Circuit Court of Appeals is reversed and the case is remanded to the District Court of the United States for the Eastern District of Michigan for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Jackson.

James G. Raley and Thomas E. Raley, Trading as Raley's Food Store,

Petitioners,

512 vs.

Philip B. Fleming, Temporary Controls Administrator.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Jackson.

Champion Spark Plug Company,

Petitioner,

680 vs.

Peter Sanders, et al., Doing Business as The Perfect Recondition Spark Plug Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of New York.

Per Mr. Justice Douglas.

Philip B. Fleming, Temporary Controls Administrator,

Appellant,

682 vs.

Dusty Rhodes, Sheriff, Tarrant County, Texas, et al.

Appeal from the District Court of the United States for the Northern District of Texas.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Texas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter.

Ira J. McCullough,

Petitioner,

755 vs.

Kammerer Corporation and Baash-Ross Tool Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

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The Chief Justice announced the following orders of the Court:

Cheltenham and Abington Sewerage Company, Appellant, vs. Pennsylvania Public Utility Commission. Appeal from the Supreme Court of the Commonwealth of Pennsylvania.

1223

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Cheltenham and Abington Sewerage Company, Appellant, vs. Pennsylvania Public Utility Commission. Appeal from the Supreme Court of the Commonwealth of Pennsylvania.

1223

TREATING the appeal papers herein from the Supreme Court of the Commonwealth of Pennsylvania as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Newton Oil Company, Appellant, vs. John Bockhold and Earle F. Wingren. Appeal from the Supreme Court of the State of Colorado.

1230

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Newton Oil Company, Appellant, vs. John Bockhold and Earle F. Wingren. — Appeal from the Supreme Court of the State of Colorado.

1230

TREATING the appeal papers herein from the Supreme Court of the State of Colorado as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Motor Haulage Company, Inc., Appellant, vs. The United States of America, Interstate Commerce Commission, et al. — Appeal from the District Court of the United States for the Eastern District of New York.

1224

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of New York, and on motions to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motions to affirm, in this cause be, and the same are hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Dorsey McMahan,

Petitioner.

132, Misc.

ON CONSIDERATION of the application submitted herein by Dorsey McMahan,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Charles Gramlich,

Petitioner.

134, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. Dulany Mitchell,

Petitioner,

135, Misc. vs.

Hon. Colin Neblett, Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Trailmobile Company, et al.,

Petitioners,

85 vs.

Lawrence Whirls.

It is ordered that footnote 20 in the opinion of this Court be changed to read as follows: "The Government states that a veteran could be reduced in seniority on account of bona fide changed circumstances or on account of cause or upon waiver. As to this, see note 25."

It is further ordered that the words "As we have indicated above," appearing at the beginning of the first paragraph on page 21 of the opinion be deleted so that the sentence will read as follows: "The argument for respondent in this case is of whole cloth in principle with the contention for 'superseniority' made and rejected in the Fishgold case, as indeed the District Court and the Court of Appeals regarded it."

Per Mr. Chief Justice Vinson.

Interstate Natural Gas Company, Incorporated,

Petitioner,

733 vs.

Federal Power Commission, et al.

ON CONSIDERATION of the motion of the State of Texas and Railroad Commission of Texas for leave to appear and present oral argument as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

934 vs.

Uebersee Finanz-Korporation, A. G.

ON CONSIDERATION of the motion of the National Foreign Trade Council, Inc., for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

International Salt Company, Incorporated,

Appellant,

1076 vs.

The United States of America; and

The United States of America,

Appellant,

1208 vs.

International Salt Company, Incorporated.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Joseph White Musser, Guy W. Musser, Charles Frederick Zitting, et al.,

Appellants,

1188 vs.

The State of Utah.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The Federal Crop Insurance Corporation, Order allowing certiorari.

Petitioner,

1064 vs.

A. A. Merrill and N. D. Merrill, Co-partners, Doing Business Under the Firm Name and Style of Merrill Bros.

The petition herein for a writ of certiorari to the Supreme Court of the State of Idaho is granted, and the case is transferred to the summary

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert E. Hannegan, Individually and as Postmaster General of the United States, — Order allowing certiorari.

Petitioner,

1108 vs.

Read Magazine, Inc., et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Estate of Sidney M. Spiegel, Deceased, Katherine J. Spiegel, et al., Surviving Executors, etc., — Order allowing certiorari.

Petitioners,

1144 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

W. F. Wilson, et al.,
Petitioners,
1062 vs.
Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson

The United States,
Petitioner,
1075 vs.
Albert & Harrison, Incorporated.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Paul Knauer,
Petitioner,
1088 vs.
Andrew Jordan, as District Director of Immigration and Naturalization for the District of Chicago.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otto Hermann Wilhelm Macke, Theresa Johanna Muller and Irmgard Sturn,

Petitioners,

1113 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter C. De Frates,

Petitioner,

1116 vs.

The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Karl Jonsson,

Petitioner,

1120 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Mefler, George Levy and Al Levy, Petitioners, vs. The United States of America. 1128

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise C. Bennion, Petitioner, vs. New York Life Insurance Company. 1133

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Findley Antis, et al., Petitioners, vs. Montgomery Ward & Co., Inc. 1149

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Surety and Casualty Company of New York,

Petitioner,

1157 vs.

The Plantsville National Bank and the Federal Deposit Insurance Corporation, Receiver.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Katherine C. Williams,

Petitioner,

1158 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Casale, Inc.,

Petitioner,

1225 vs.

Loren Skidmore, Thomas McKasey, Conrad A. Fugman, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Greenhouse Bros. & Finkelstein, Inc., Petitioner,
1107 vs.
Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Gene McCann, Petitioner,
340 vs.
Tom C. Clark, Attorney General of the United States, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann, Petitioner,
841 vs.
William A. Adams, Warden of the City Prison of Manhattan, New York City, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Knight Giles, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

872

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Boyce Davis, Petitioner, vs. James A. Johnston, Warden, United States Penitentiary, Alcatraz, California. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

912

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorsey McMahan, Petitioner, vs. James A. Johnston, Warden, United States Penitentiary, Alcatraz, California. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

918

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Forest G. Wood,

Petitioner,

948 vs.

Ralph Howard, Warden, Indiana State Prison.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Ruben,

Petitioner,

1026 vs.

E. J. Welch, Superintendent of the District of Columbia Reformatory.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ollie M. Perry, Administratrix of the Estate of Jennie S. Moody,

Petitioner,

1121 vs.

Steadman C. Wheeler, Administrator, d.b.n., c.t.a. of the Estate of George E. Moody.

On petition for writ of certiorari to the Supreme Court of the State of Vermont.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small, Petitioner,
1142 vs.
People of the State of New York.

On petition for writ of certiorari to the Court of General Sessions of the City and County of New York, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Wenderlin, Petitioner,
1182 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gordon Leonard Hart, Petitioner,
1185 vs.
P. J. Squier, Warden, United States Penitentiary, McNeil Island, Washington.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mike Seric,
Petitioner,
1198 vs.
People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, 4th Appellate Department.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Lewis,
Petitioner,
1209 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin J. Evans,
Petitioner,
1212 vs.
Gerald F. Bush, Warden of the House of Correction, Michigan Branch Prison.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Scarpinato, Petitioner,

1216 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court, Criminal Court of Cook County, and Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo Michalowski, Petitioner,

1221 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Howe, Petitioner,

1232 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Ogle County and Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Wilkerson,

Petitioner,

1233 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte N. B. Houghton,

Petitioner.

111, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Anna C. Lewis, et al.,

Petitioners,

127, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hans Max Haupt,

Petitioner,

49 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Marion B. Kotch, John L. Richards,
Adolph Clark, et al.,

Appellants,

291 vs.

Board of River Port Pilot Commissioners
for the Port of New Orleans, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court th

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ivan L. Wagner,

Petitioner,

866 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court th

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Virgil D. Bell, et al.,

Petitioners,

993 vs.

Seton Porter, et al.;

William F. Rokey, Harold McGownd,
et al.,

Petitioners,

994 vs.

Day & Zimmermann, Inc.; and

Claude Bowers, et al.,

Petitioners,

995 vs.

Remington Rand, Inc.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert L. Peyton,

Petitioner,

1016 vs.

Railway Express Agency, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Al Gavalis,

Petitioner,

1090 vs.

The People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grand Lodge Hall Association, I.O.O.F. of Indiana, a Corporation, et al.,

Appellants,

1110 vs.

Ralph F. Moore, as Auditor of Marion County, Indiana, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

253 vs.

The Pullman Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Otis & Co.,

Appellant,

254 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

The Chesapeake & Ohio Railroad Company, et al.,

Appellants,

255 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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Francis R. Cope, Jr.,

Petitioner,

593 vs.

A. M. Anderson, Receiver of the National Bank of Kentucky.

Argued by Mr. Harold Evans for the petitioner and by Mr. Robert S. Marx for the respondent.

A. M. Anderson, Receiver of the National Bank of Kentucky, Louisville, Kentucky,

Petitioner,

656 vs.

Lawrence S. Helmers, et al.

Argued by Mr. Robert S. Marx for the petitioner and by Mr. Murray Seasongood for the respondents.

State of Oklahoma and Champlin Refining Company,

Petitioners,

715 vs.

The United States of America.

Argument commenced by Mr. Nathan Scarritt for the petitioner, Champlin Refining Company and continued by Mr. Stanley M. Silverberg for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that William M. Thompson, Esquire, of Batesville, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Wideman, It is ordered that Spessard L. Holland, Esquire, of Bartow, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Smathers, It is ordered that Louis F. Snedigar, Esquire, of Miami Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Geo. A. Hutchinson, Esquire, of Enid, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Gerald E. Dwyer, Esquire, of New York, State of New York, and Samuel H. Hellenbrand, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert R. Grossman, It is ordered that Raymond W. Miller, Esquire, of Jackson, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David D. Terry, It is ordered that John Collins Murray, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Young, It is ordered that Maury Young, Esquire, of Washington, District of Columbia, and Philip Goldstein, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Antonio M. Fernandez, Esquire, of Santa Fe, State of New Mexico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herzel H.E. Plaine, It is ordered that William Furst, Esquire, of Newark, State of New Jersey; Benjamin I. Kantor, Esquire, of Woodbridge, State of New Jersey; and Joseph A. Mirne, Esquire, of Asbury Park, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John R. Wall, It is ordered that Joseph W. Bishop, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. J. Benckenstein, It is ordered that Peter B. Wells, Esquire, of Beaumont, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that Paul Dobin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis A. Driscoll, It is ordered that Charles DiIorio, Esquire, of Somerville, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Labor Relations Board,

Petitioner,

544 vs.

Keystone Steel & Wire Company and
Independent Steel Workers Alliance.

ON CONSIDERATION of the motion of counsel for the respondent Keystone Steel & Wire Company to postpone the argument of this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the argument be, and it is hereby, continued.

Per Mr. Chief Justice Vinson.

State of Oklahoma and Champlin Refining Company,

Petitioners,

715 vs.

The United States of America.

Argument continued by Mr. Stanley M. Silverberg for the respondent and concluded by Mr. Mac Q. Williamson for the petitioners.

The United States of America,

Appellant,

718 vs.

Michael Walsh, an Individual Trading as
Kelp Laboratories.

Argued by Mr. Robert S. Erdahl for the appellant and by Mr. Lawrence W. Miller for the appellee.

The United States of America,

Appellant,

464 vs.

Line Material Company, General Electric Company, James R. Kearney Corporation, et al.

Argued by Mr. Assistant Attorney General Berge for the appellant and by Mr. John Lord O'Brian and Mr. Albert R. Connelly for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, APRIL 30, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wendell Berge, It is ordered that Bartholomew Diggins, Esquire, of Washington, District of Columbia; Morton H. Steinberg, Esquire, of Washington, District of Columbia; and Robert A. Nitschke, Esquire, of Shaker Heights, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Courtney, It is ordered that Donald Ambrose Chapman, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice H. Weeks, It is ordered that Carl D. Coleman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerhard A. Gesell, It is ordered that Harry R. Pugh, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Mahon, It is ordered that W. D. Benson, Jr., Esquire, of Lubbock, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court,

On motion first made to the Court in this behalf by Mr. Harry Edelstein, It is ordered that Julian D. Rosenberg, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Israel Convisser, It is ordered that Samuel M. Singer, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur G. Klein, It is ordered that Nathan B. Kogan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert E. Arent, It is ordered that William Maslow, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

MONDAY, OCTOBER 17,

No. —. In the Matter of Will Maslow. The motion to amend the Attorney Roll to show a change of name of William Maslow to Will Maslow is granted.

On motion first made to the Court in this behalf by Mr. Charles W. Yreka, It is ordered that Alfred B. Hurley, Esquire, of Washington, District of Columbia, and Fabian Christopher Cox, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Robert Carey, It is ordered that Richard M. Love, Esquire, of Hyattsville, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Leon M. Miller, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Rogers, It is ordered that Merle Thorpe, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bruce Ditmas Bromley, It is ordered that George S. Collins, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph F. Tumulty, Jr., It is ordered that Edward C. Raftery, Esquire, of New York, State of New York, and George A. Raftery, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. Joseph Matan, It is ordered that Milton M. Rosenbloom, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard E. Shands, It is ordered that Dugas Shands, Esquire, of Cleveland, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Conradis, It is ordered that C. Oscar Berry, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin Geiger, It is ordered that A. Leon Goldman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Sterling Youngman, Jr., It is ordered that George F. Richardson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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John H. Fahey and A. V. Ammann, Individually and Respectively as Federal Loan Bank Commissioner and Conservator for the Long Beach Federal Savings and Loan Association,

Appellants,

687 vs.

Paul Mallonee, et al.

Argued by Mr. Oscar H. Davis for the appellants; by Mr. Wyckoff Westover for appellees, Paul Mallonee, et al.; by Mr. Charles K. Chapman for appellee, Long Beach Federal Savings and Loan Association; and by Mr. Everett W. Mattoon for the State of California, as amicus curiae, by special leave of Court. Case submitted by Mr. Louis W. Myers, Mr. Pierce Works, and Mr. Richard Fitzpatrick for appellee, Federal Home Loan Bank of Los Angeles; by Mr. Robert H. Wallis, pro se, and Mr. Raymond Tremaine for appellee, Robert H. Wallis; and by Mr. Harry O. Wallace for appellee, Title Service Company.

John H. Fahey, et al.,

Petitioners,

133, Misc. vs.

Honorable Pierson M. Hall, Judge of the District Court of the United States for the Southern District of California.

Argued on the motion for leave to file petition for writ of mandamus and/or prohibition and/or injunction by Mr. Oscar H. Davis for petitioners in support of the motion and on the rule to show cause and by Mr. Welburn Mayock and Mr. Charles K. Chapman for respondent, Honorable Peirson M. Hall, United States District Judge, in opposition to the motion and on the return to the rule.

The United States of America,

Petitioner,

793 vs.

Elliott W. Michener.

Argued by Mr. W. Marvin Smith for the petitioner and by Mr. Roger Kent for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. Homer Ferguson, It is ordered that Wilfrid L. Cloutier, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl T. Mack, It is ordered that James B. Simms, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Foley, It is ordered that James R. Brooks, Esquire, of Vienna, Commonwealth of Virginia, and Clifford Hynning, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morris A. Glushien, It is ordered that Jerome A. Weiner, Esquire, of New York, State of New York, and Bernard L. Balicer, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Travis, It is ordered that John Wayne Van Orman, Esquire, of New York, State of New York, and Francis Van Orman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond Edwin Steele, It is ordered that Roger L. Shidler, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leo Meltzer, It is ordered that Sydney Brodie, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur T. Noadley, It is ordered that Lawrence V. Moloy, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archibald King, It is ordered that Culver Bryant Chamberlain, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McGowan, It is ordered that James Wheeler Clement , Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Souby, It is ordered that James Martin Souby, Jr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Mooers, It is ordered that Edwin A. Mooers, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James O'Donnell Moran, It is ordered that J. Ambrose Kiley, Esquire, of Washington, District of Columbia; Lawrence J. Simmons, Esquire, of Washington, District of Columbia; and Paul Lee Sweeny, Esquire, of Franklin Park, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marvin J. Sonosky, It is ordered that Kenneth M. Masters, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Tom C. Clark, Attorney General, as
Successor to the Alien Property Custodian,

Petitioner,

934 vs.

Uebersee Finanz-Korporation, A. G.

Argued by Mr. M. S. Isenbergh for the petitioner and by Mr. Richard J. Connor for the respondent.

Silesian American Corporation, Debtor,
and Silesian Holding Company,

Petitioners,

346 vs.

Tom C. Clark, Attorney General, as
Successor to the Alien Property Custodian.

Argued by Mr. Leonard P. Moore for the petitioners and by Mr. James C. Wilson for the respondent. Leave granted petitioner to file a reply brief.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, MAY 2, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Geo. B. Schwabe, It is ordered that William Buford McConnico, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Leonard Allen, It is ordered that Allen Harvey Broyles, Esquire, of Shreveport, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vernon E. West, It is ordered that John J. Donnelly, Jr., Esquire, of Washington, District of Columbia, and Harry L. Walker, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack Bernard Tate, It is ordered that Earle V. Simrell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ward Monroe French, It is ordered that Earl Jay Gratz, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Wechsler, It is ordered that Harry L. Rosenthal, Esquire, of Rochester, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abram Orlo It is ordered that Filindo B. Masino, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward August Waldmann, It is ordered that Harvey F. Schneiber, Esquire, of Brentwood, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Wallance, It is ordered that Charles Henry Lee, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Nitschke, It is ordered that Joseph Prindaville, Esquire, of Chicago, State of Illinois, and James Edward Mann, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raoul Berger, It is ordered that Malcolm S. Mason, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Interstate Natural Gas Company, Incorporated,

Petitioner,

733 vs.

Federal Power Commission, et al.

Argued by Mr. William A. Dougherty for the petitioner; by Mr. James D. Smullen for the State of Texas, et al., as amici curiae, by special leave of Court; and by Mr. Charles E. McGee for respondent Federal Power Commission.

Marvin Gayes,

Petitioner,

405 vs.

The State of New York.

Argued by Mr. Herbert Wechsler for the petitioner and by Mr. Harry L. Rosenthal for the respondent.

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Proclamation being made the Court is adjourned until Monday, next, at 12 o'clock.

MONDAY, MAY 5, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that Geo. T. Shannon, Esquire, of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy A. Fulcher, It is ordered that Roswell P. Waldo, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Kee, It is ordered that A. Hale Watkins, Esquire, of Fairmont, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Ruth Weyand It is ordered that Harold Tannen, Esquire, of Miami Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest S. Ballard, It is ordered that Charles R. Kaufman, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold G. Hernly, It is ordered that E. Blaine Buchanan, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert E. Steinem, It is ordered that Julius M. Arnstein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Burke Williamson, It is ordered that Robert McCormick Adams, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul F. Douglass, It is ordered that Marguerite Rose Kletchka, of Washington, District of Columbia, and Nelle Hyde Holmes, of Manassas, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Mrs.)

On motion first made to the Court in this behalf by Mr. Richard W. Galiher, It is ordered that Francis J. Anastasia, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Elman, It is ordered that A. L. Kearns, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Daniel F. Rice, Joseph J. Rice, et al., etc.,

Petitioners,

471 vs.

Board of Trade of the City of Chicago, a Corporation; and

Illinois Commerce Commission, et al.,

Petitioners,

473 vs.

Board of Trade of the City of Chicago, a Corporation.

On writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Daniel F. Rice, Joseph J. Rice, et al., etc.,

Petitioners,

470 vs.

Santa Fe Elevator Corporation, et al.; and

Illinois Commerce Commission, et al.,

Petitioners,

472 vs.

Santa Fe Elevator Corporation, et al.

On writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed in part and reversed in part, three-fourths of the costs in this Court to be paid by petitioners, Daniel F. Rice, et al., and one-fourth by respondents.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Nothern District of Illinois for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Rutledge concurs.

Commissioner of Internal Revenue, Petitioner, vs. Sidney S. Munter. — On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

674

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to remand to the Tax Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Commissioner of Internal Revenue, Petitioner, vs. Carl Munter. — On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

675

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to remand to the Tax Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

George Harris,

Petitioner,

34 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Oklahoma.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Frankfurter and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Rutledge concur.

149 Madison Avenue Corporation and Williams & Co., Inc.,

Petitioners,

497 vs.

Frank Asselta, Camilo Del Rio, Joseph McArdle, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following order of the Court:

Charles Trudell, Appellant, vs. State of Mississippi. — Appeal from the Supreme Court of the State of Mississippi.

1104

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Charles Trudell, Appellant, vs. State of Mississippi. — On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

1104

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion that the petition for certiorari should be granted.

Charles Trudell,

Appellant,

1104 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

James Lewis, Jr., Appellant,

1105 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

James Lewis, Jr., Petitioner,

1105 vs.

State of Mississippi.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion that the petition for certiorari should be granted.

James Lewis, Jr.,

Appellant,

1105 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Joseph Poresky,

Petitioner,

136, Misc. vs.

Honorable J. Ford, United States District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Local 2880, Lumber & Sawmill Workers Union, United Brotherhood of Carpenters & Joiners of America, Affiliated with the American Federation of Labor,

Order allowing certiorari.

Petitioner,

1147 vs.

The National Labor Relations Board.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the t
script of the proceedings below which accompanied the petition shall
treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harry Blumenthal, Order allowing certiorari.

Petitioner,

1162 vs.

The United States of America.

The petition herein for a writ of certiorari to the United Stat
Circuit Court of Appeals for the Ninth Circuit is granted, and the case
consolidated with Goldsmith, et al. vs. United States, for argument.

And it is further ordered that the duly certified copy of the t
script of the proceedings below which accompanied the petition shall be
treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lawrence B. Goldsmith, Order allowing certiorari.

Petitioner,

1163 vs.

The United States of America.

The petition herein for a writ of certiorari to the United Stat
Circuit Court of Appeals for the Ninth Circuit is granted, and the case
consolidated with Blumenthal, et al. vs. United States, for argument.

And it is further ordered that the duly certified copy of the t
script of the proceedings below which accompanied the petition shall be
treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Samuel S. Weiss, Order allowing certiorari.

Petitioner,

1164 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, and the case is consolidated with Blumenthal, et al. vs. United States, for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Albert Feigenbaum, Order allowing certiorari.

Petitioner,

1165 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, and the case is consolidated with Blumenthal, et al. vs. United States for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

W. Clay Rodgers, Order allowing certiorari.

Petitioner,

1176 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, limited to the first two questions presented by the petition for the writ. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Administrator, Office of Temporary Controls, et al.,

Petitioners,

1095 vs.

The Moberly Milk Products Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

IT APPEARING to the Court that counsel for petitioners has filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Jack Gorum and National Mutual Casualty Company,

Petitioners,

575 vs.

Ruby O. Loudenslager and Charlotte Loudenslager.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard V. Provenzano, Individually and Doing Business as "O. K. Plumbing Company",

Petitioner,

1004 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles L. Smith, Petitioner,

1036 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Potomac Electric Power Company, Petitioner,

1038 vs.

Public Utilities Commission of the District of Columbia, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

1135 vs.

Public Utilities Commission of the District of Columbia, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Hensley,

Petitioner,

1138 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John O. Schuster, d.b.a. General Machine Works, and as The A. & A. Tool and Supply Company,

Petitioner,

1150 vs.

S. H. Sturgeon, as Acting Collector of Internal Revenue in and for the State of Oklahoma, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Virginia Young Stott, Mae Young Lubben and Elizabeth Jansing,

Petitioners,

1156 vs.

Tidewater Associated Oil Co., and Seaboard Oil Co., of Delaware.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. C. Clark, Inc., Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1159

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Zerefa Maloof, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1160

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eric Adolfson, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1167

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hudson McGuire, et al., Petitioners, vs. Equitable Office Building Corporation, etc., et al.

1168

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hudson McGuire, et al., Petitioners, vs. Equitable Office Building Corporation, etc., et al.

1169

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hudson McGuire, et al., Petitioners, vs. Equitable Office Building Corporation, etc., et al.

1170

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry R. Amott, et al., Petitioners, vs. Charles A. Dana, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1172

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry R. Amott, et al., Petitioners, vs. Charles A. Dana, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1173

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry R. Amott, et al., Petitioners, vs. Charles A. Dana, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1174

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

MONDAY, MAY 5, 1947 - RECESS.

Charles A. Dana, Sir James Dunn, John W. Hubbard, et al., etc.,

Petitioners,

609 vs.

J. Donald Duncan, as Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Equitable Office Building 1913 Co., Inc.,

Petitioner,

610 vs.

J. Donald Duncan, as Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Adelaide H. Knight and William P. Doyle, Common Stockholders of the Equitable Office Building Corporation, Debtor,

Petitioners,

612 vs.

J. Donald Duncan, as Trustee, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The People of the State of New York, et al.,

Petitioners,

1175 vs.

Raymond L. Gebhardt, et al., as Trustees of the New York, Ontario and Western Railway Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Company,

Petitioner,

1178 vs.

Jules Guggenheim, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Company,

Petitioner,

1179 vs.

Jules Guggenheim, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Berrynan Henwood, Trustee, St. Louis Southwestern Railway Company,
Petitioner,
1190 vs.
Amos Wallace.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Garlock Packing Company,
Petitioner,
1191 vs.
L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Columbian National Life Insurance Company,
Petitioner,
1195 vs.
Abraham Goldberg.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Shapiro, Bernstein & Co., Inc., Petitioner,

1199 vs.

Jerry Vogel Music Co., Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Black Diamond Lines, Inc., and Tampa Inter-Ocean Steamship Company, Petitioners,

1207 vs.

Pioneer Import Corp.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Health-Mor, Inc., Petitioner,

1051 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. William Klare, Receiver of Detroit Bankers Company,

Petitioner,

1060 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Ernest Stewart,

Petitioner,

1140 vs.

The State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law.

Per Mr. Chief Justice Vinson.

Thomas Fife,

Petitioner,

615 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commodore E. Bennett, M. D., Petitioner,
966 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Freddie Lee Thomas, Petitioner,
1034 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Higgins, Petitioner,
1079 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Archibald Munks, Petitioner,

1183 vs.

People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Canizio, Petitioner,

1213 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Ulster County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Swayze, Petitioner,

1261 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Di Chiara,
Petitioner,
1266 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calvin Barnett,
Petitioner,
1269 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lew Palmer,
Petitioner,
1283 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John F. McNaughton,

Petitioner,

1284 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certio
the Supreme Court of the State
Illinois.

ON CONSIDERATION of the motion for leave to proceed herein
pauperis and of the petition for writ of certiorari, it is ordered by
Court that the motion to proceed in forma pauperis be, and the same is
granted; and that the petition for writ of certiorari be, and the same
hereby, denied.

Per Mr. Chief Justice Vinson.

The Penfield Company of California and A. W. Young,

Petitioners,

453 vs.

Securities and Exchange Commission.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court tha
said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Durrett,

Petitioner,

999 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court th
said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederic F. Wolter,

Petitioner,

218 vs.

Safeway Stores, Inc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morton Freidman,

Petitioner,

990 vs.

Lewis B. Schwellenbach, Individually and as Secretary of Labor, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas, having originally voted to grant the petition for certiorari, believe that the petition for rehearing should be granted.

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It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in case No. 540, and that the Court will then take a recess until Monday, May 12.

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The United States of America,

Appellant,

954 vs.

James C. Petrillo.

Argument commenced by Mr. Assistant to the Attorney General [illegible] and continued by Mr. Robert L. Stern for the appellant and by Mr. Henry Kaiser and Mr. Joseph A. Padway for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MAY 6, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Marion T. Bennett, It is ordered that Karl E. Holderle, Jr., Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. Homer Ferguson, It is ordered that Louis J. Colombo, Jr., Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick A. McCarran, It is ordered that J. G. Sourwine, Esquire, of Reno, State of Nevada, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Fahy, It is ordered that Paul M. Herzog, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank S. Lewis, It is ordered that Harold A. James, Esquire, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin Leroy Johnson, It is ordered that Betty Barrett Gillette, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. [illegible] Pritchard Kimball, It is ordered that Lillian L. Malley, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. [illegible] Cecil Fitzpatrick, It is ordered that Fred H. Cutts, Esquire, of Cordele, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel H. Kaufman, It is ordered that Harold S. Lynton, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vernon M. Lowrey, It is ordered that Vincent J. Claffey, Esquire, of Staten Island, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Elizabeth F. Reed, It is ordered that Anna F. Macrelli, of Washington, District of Columbia, and Joseph A. Macrelli, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Irwin Kurtz, It is ordered that George J. Beldock, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward A. Foote, It is ordered that John A. Madden, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf
Anthony Sweeney, It is ordered that Ray Bertholf Houston, E
Washington, District of Columbia, be admitted to practice a
and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf
Glushien, It is ordered that Muriel J. Levor, of New York,
be admitted to practice as an Attorney and Counsellor of th
she was sworn accordingly.

On motion first made to the Court in this behalf
Collins, It is ordered that Marcellina Hummer, of Iowa City,
be admitted to practice as an Attorney and Counsellor of thi
she was sworn accordingly.

On motion first made to the Court in this behalf b
Chapman, It is ordered that Louis A. Sabatino, Esquire, of
Florida, be admitted to practice as an Attorney and Counsell
and he was sworn accordingly.

On motion first made to the Court in this behalf b
Llewellyn Wright, It is ordered that Walker Smith, Esquire,
State of Illinois, be admitted to practice as an Attorney an
this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf b
Elman, It is ordered that Hyman A. Schulsen, Esquire, of Was
of Columbia, be admitted to practice as an Attorney and Coun
Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by
Spaulding, It is ordered that Ella Cooper Thomas, of Washing
Columbia, and Laurens H. Rhinelander, Esquire, of Washington
Columbia, be admitted to practice as Attorneys and Counsello
and they were sworn accordingly. (M

On motion first made to the Court in this behalf by
Nicholson, It is ordered that Laurence C. Eberhardt, Esquire,
State of New York, be admitted to practice as an Attorney and
this Court, and he was sworn accordingly.

by Mr. Paul
squire, of
s an Attorney

by Mr. Morris P.
State of New York,
is Court, and
(Miss)

by Mr. William H.
, State of Iowa,
is Court, and
(Miss)

by Mr. Thayer
Miami, State of
or of this Court,

by Mr. Robert
of Chicago,
d Counsellor of

y Mr. Philip
hington, District
seller of this

y Mr. Hector G.
ton, District of
, District of
rs of this Court,
rs.)

y Mr. Jesse W.
of New York,
l Counsellor of

The United States of America,

Appellant,

954 vs.

James C. Petrillo.

Argument concluded by Mr. Robert L. Stern fo

Brotherhood of Railroad Trainmen,
An Unincorporated Association,

Appellant,

970 vs.

The Baltimore and Ohio Railroad Company,
et al.

Argued by Mr. Burke Williamson for the appel

S. Ballard for the appellees.

The United States,

Petitioner,

847 vs.

The Munsey Trust Company of Washington,
D. C., Receiver.

Argued by Mr. Philip Elman for the petitione

M. Heron and Mr. W. B. Dew for the respondent.

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Proclamation being made the Court is adjourned until t

WEDNESDAY, MAY 7, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Frank Murphy,
Robert H. Jackson, Associate Justices.
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Warren G. Magnuson, It is ordered that Ralph B. Potts, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that Harry N. Dell, Esquire, of Royal Oak, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Virgil M. Chapman, It is ordered that Geo. J. Lewis, Esquire, of Lexington, Commonwealth of Kentucky, and Joseph C. Lewis, Esquire, of Lexington, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henderson H. Carson, It is ordered that W. Bernard Rodgers, Esquire, of Canton, State of Ohio; John Rossetti, Esquire, of Canton, State of Ohio; Paul M. Perkins, Esquire, of Canton, State of Ohio; and D. Deane McLaughlin, Esquire, of Massillon, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford Davis, It is ordered that George Bailey Walsh, Esquire, of Memphis, State of Tennessee, and Joseph Romaine Cannon, Esquire, of Houston, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Hobbs, It is ordered that Nathan J. Paulson, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Cole, It is ordered that John E. Downs, Esquire, of Saint Joseph, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Miller, It is ordered that Jonathan E. Taylor, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Yerka, It is ordered that Martin Werner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John [illegible]. Powell, It is ordered that William S. Abell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Clarke Mason, It is ordered that John P. Bracken, Esquire, of Wilkesbarre, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible]. Boyd, It is ordered that Willard L. Ellis, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. De Raad, It is ordered that Harold J. E. Gesell, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. MacMaster, It is ordered that Herbert Lipsitz, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Willard Hayes, It is ordered that Edward C. Grelle, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Enrietto, It is ordered that James J. Fitzgerald, Jr., Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Randolph C. Shaw, It is ordered that Ernest Hubbell, Esquire, of Trenton, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger P. Marquis, It is ordered that Clarence I. Lord, Esquire, of Trenton, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Leon Goldman, It is ordered that Henry Goldman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Wiener, It is ordered that M. Mortimer Lancet, Esquire, of New York, State of New York, and John A. Errico, Esquire, of Bloomfield, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey P. Schneider, It is ordered that Morris S. Schwartz, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Bran Shea, It is ordered that Ernest R. D'Amours, Esquire, of Manchester, State of New Hampshire, be admitted to practice as an Attorney and Counsellor at this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest P. Mechlin, It is ordered that Chester B. Mi[illegible]n, Esquire, of [illegible], [illegible] New Hampshire, be admitted to practice as an Attorney and Counsellor at Court, and he was sworn accordingly.

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Donald E. Hasson,

Petitioner,

1013 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to file a petition for [illegible] in this [illegible],

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to and including [illegible].

Per Mr. Chief Justice Vinson.

J. D. Shelley, Ethel Lee Shelley, His Wife, and Josephine Fitzgerald,

Petitioners,

1268 vs.

Louis Kraemer and Fern Kraemer, His Wife.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file brief in opposition to the petition for certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to and including May 21, 1947.

The United States of America,

Appellant,

1035 vs.

Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al.

Argued by Mr. Charles H. Weston for the appellant and by Mr. Samuel H. Kaufman for the appellees.

The United States,

Petitioner,

862 vs.

John J. Felin & Co., Inc.

Argued by Mr. Acting Solicitor General Washington for the petitioner and by Mr. Arthur L. Winn, Jr. for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MAY 4, 1937.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Emmalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. Henry F. Wallace, It is ordered that George E. Glover, Esquire, of Long Beach, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilton H. Wallace, It is ordered that Henry F. Lerch, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Dorothea Jane Lasica, It is ordered that Arline Craig Rogers, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. J. Robert Carey, It is ordered that John Coolick, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William D. Donnelly, It is ordered that Llewellyn J. Moses, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The Chief Justice announced that the Court would take a recess.

The Court reconvened.

Willie Francis,

Petitioner,

1346 vs.

E. L. Resweber, Sheriff of the Parish of St. Martin, Louisiana.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied. The application for stay of execution of the death sentence is also denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these applications.

Willie Francis,

Petitioner,

140, Misc. vs.

E. L. Resweber, Sheriff of the Parish of St. Martin, Louisiana, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied for the reasons set forth in Ex Parte Hawk, 321 U. S. 114. In view of the grave nature of the new allegation set forth in the petition for writ of habeas corpus, the denial is expressly without prejudice to application to the proper tribunals.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of opinion that the petition should be granted.

Mr. Justice Rutledge is of the opinion that the application in No. 140, Misc. should be treated as a petition for rehearing in No. 142 of October Term, 1946; so regarded, the petition should be granted; the judgment in No. 142 should be vacated; and that cause be remanded to the Supreme Court of Louisiana for further proceedings to determine the issues of fact presented by the petition.

Mr. Justice Douglas took no part in the consideration or decision

John P. McWilliams,

Petitioner,

945 vs.

Commissioner of Internal Revenue;

Estate of Susan P. McWilliams, Deceased,
John P. McWilliams, Executor,

Petitioners,

946 vs.

Commissioner of Internal Revenue; and

Brooks B. McWilliams,

Petitioner,

947 vs.

Commissioner of Internal Revenue.

Argued by Mr. John A. [illegible] for the petitioners and by Mr. Arnold Raum for the respondent.

Nelson Foster and George Payne,

Petitioners,

540 vs.

The People of the State of Illinois.

Argued by Mr. Charles [illegible] for the petitioners and by Mr. [illegible] C. Wines for the respondent.

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Proclamation being made the Court is adjourned until Monday, [illegible], next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice.
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. Devitt Vanech, It is ordered that C. Lester Trotter, Esquire, of Washington, District of Columbia; W. Wade Bromwell, Esquire, of Arlington, Commonwealth of Virginia; and Stanley J. Tracy, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bertrand Wesley Gearhart, It is ordered that Edmond A. Chevalier, Esquire, of Fresno, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fadjo Cravens, It is ordered that W. B. Matney, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that Howard H. Desky, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin Leroy Johnson, It is ordered that Maxwell M. Willens, Esquire, of Stockton, State of California, be admitted to practice as an Attorney and Counsellor

of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Amos ... Woodcock, It is ordered that Francis Elwood Barkman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsell... this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur ... Perry, It is ordered that Harold M. Oster, Esquire, of Dallas, State of Texa... be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin G. White, It is ordered that Joseph ...rville ...rner, ..., ..., ..., Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Robert A. Milne, Esquire, of ...oulee Dam, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. ...ard H. Jackson, It is ordered that Robert D. Morgan, Esquire, of ...oria, State of Illinois, and Joseph Karesh, Esquire, of San Francisco, ... of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hamond E. Chaffetz, It is ordered that Walter E. Tinsley, Esquire, of ...ago, State Illinois, be admitted to practice as an Attorney and Counsellor of this ... and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham C. Weinfeld, It is ordered that Milan Edward Ryan, Esquire, of Santa Monica, State of California, be admitted to practice as an Attorney and Counsellor this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice Schulman, It is ordered that Samuel Lewis Pendel, Esquire, of San Francisco, State of California, and Julius J. Novack, Esquire, of San Bernardino, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Francis Millyard, It is ordered that Irwin D. Davidson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Cobb, It is ordered that Graham T. Perry, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry G. Van Veen, It is ordered that Frank S. Ketcham, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen B. Arthur, It is ordered that Nellie M. Moore, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Albert M. Cole, It is ordered that Howard F. McCue, Esquire, of Topeka, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick A. Ballard, It is ordered that Frederick F. Remberger, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Mooers, It is ordered that Henry R. Kempka, Esquire, of Paris, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Norblad, It is ordered that Hy Samuels, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David London, It is ordered that Sylvan D. Freeman, Esquire, of New York, State of New York; David Samuel Korn, Esquire, of New Haven, State of Connecticut; and Walter A. Rochow, Esquire, of Youngstown, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Rogers, It is ordered that Meade C. Patrick, Esquire, of Washington, District of Columbia; Thomas J. Beddow, Esquire, of Washington, District of Columbia; and Ward E. Lattin, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Saul C. Oppenheim, It is ordered that Madaline Kinter Remmlein, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Harrell C. Hoagland, It is ordered that William Leigh Ellis, Esquire, of Petoskey, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Ivy Lee Buchanan, It is ordered that Ida Simrall Ala, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Ralph S. Boyd, It is ordered that Howard Boyd, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible].

Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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State of New York, State of Delaware, State of Indiana, et al.,

Appellants,

343 vs.

The United States of America, Interstate Commerce Commission, State of Alabama, et al.;

Appeals from the District Court of the United States for the Northern District of New York.

Horace A. Hildreth, Governor of the State of Maine, et al.,

Appellants,

344 vs.

The United States of America, Interstate Commerce Commission, et al.; and

The Atchison, Topeka and Santa Fe Railway Company, et al.,

Appellants,

345 vs.

The United States of America, Interstate Commerce Commission, et al.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

IT IS FURTHER ORDERED that the injunction of the District Court staying the orders of the Interstate Commerce Commission herein be, and the same is hereby, vacated.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

The United States of America, Petitioner, vs. Leslie Fullard-Leo, Ellen Fullard-Leo, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

429

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Territory of Hawaii.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Rutledge in which the Chief Justice, Mr. Justice Black, and Mr. Justice Murphy concur.

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The Chief Justice announced the following orders of the Court:

Hill Packing Company, Appellant, vs. The City of New York, William O'Dwyer, Mayor of the City of New York, et al. — Appeal from the Court of Appeals of the State of New York.

940

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed and Mr. Justice Rutledge agree only that probable jurisdiction should be noted.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Sonnie Dobbs, Jr.,

Appellant,

1294 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Sonnie Dobbs, Jr., Appellant, vs. State of Mississippi. Appeal from the Supreme Court of the State of Mississippi.

1294

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Sonnie Dobbs, Jr., Appellant, vs. State of Mississippi. Appeal from the Supreme Court of the State of Mississippi.

1294

TREATING the appeal papers herein from the Supreme Court of the State of Mississippi as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this order.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.

The State of Georgia,

Complainant,

11, Original vs.

The Pennsylvania Railroad Company, et al.

Upon consideration of the motion of the State of Alabama for leave to file petition for intervention, the opposition thereto, and the Special Report of the Special Master thereon,

IT IS ORDERED by this Court that the said motion be, and the same hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Dorsey McMahan,

Petitioner.

137, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Davis MacBlain,

Petitioner,

138, Misc. vs.

C. J. Burke, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision

Ex parte Edward Reasor,

Petitioner.

139, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Appellant,

1249 vs.

L. C. Griffith, H. J. Griffith, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is assigned for argument immediately following No. 572, Schine Chain Theatres, Inc., et al. vs. United States.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

Alaska Juneau Gold Mining Company,

Petitioner,

836 vs.

E. E. Robertson, as Representative of and on Behalf of J. A. Behrends, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Foster Brown,
Petitioner,
943 vs.
The State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals, State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals, State of Texas, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

C. H. Fischer and Martha Fischer,
Petitioners,
1063 vs.
The City of Oklahoma City, a Municipal Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Central States Electric Company,
Petitioner,
1134 vs.
Federal Power Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Brooks Clothing of California, Ltd., Petitioner,
1180 vs.
Brooks Brothers, a Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Alice Martens Young, etc., Petitioner,
1194 vs.
Clinton P. Anderson, Secretary of Agriculture of the United States, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Rinehard H. Peters, Petitioner,
1197 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Francis S. Clamitz,

Petitioner,

1206 vs.

Thatcher Manufacturing Company, et al.

On petition for writ of certiorari t the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Chester Birtch and William Arthur Denham,

Petitioners,

961 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

On petition for writ of certiorari t the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Jackson,

Petitioner,

1187 vs.

State of Tennessee.

On petition for writ of certiorari t the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision

Stephen Stokey,

Petitioner,

1242 vs.

The People of the State of New York.

On petition for writ of certiorari to the Court of General Sessions, New York County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mae Owens Case,

Petitioner,

1250 vs.

The Government, Justice Department, Civil Service Commission, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Stahl,

Petitioner,

1288 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision

Fred Stahl, Petitioner, vs. State of Illinois. On petition for writ of certiorari to the Circuit Court of Carroll County,

1289

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Stahl, Petitioner, vs. State of Illinois. On petition for writ of certiorari to the Circuit Court of Will County,

1290

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl Osborn, Petitioner, vs. State of Illinois. On petition for writ of certiorari to the Circuit Court of LaSalle County,

1291

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Frank Hayes Ross, Petitioner,
1292 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julius Weisberg, Petitioner,
1301 vs.
The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition for certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Fisher, Petitioner,
1241 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

It appearing to the Court that petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Ex parte Stanley B. Poplawski,

Petitioner.

196, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Samuel Salvadore Perniciaro,

Petitioner,

1085 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Appellant,

1100 vs.

Lionel Pallett.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert L. Peyton,

Petitioner,

1016 vs.

Railway Express Agency, Inc.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of cases appearing upon this list in which judgments or orders are entered with the exception of case No. 11, Original.

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ORDER

The Court will take a recess from today until Monday, May 19, next.

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Proclamation being made the Court is adjourned until Monday, May 19, next, at 12 o'clock.

MONDAY, MAY 12, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Howard McGrath, It is ordered that George Tribiman, Esquire, of Providence, State of Rhode Island, and Dana H. Curtiss, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Walter Norblad, It is ordered that George W. Lamar, Esquire, of Pendleton, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Wesley A. Wilkinson, Esquire, of Cleveland, State of Ohio; Allison Compton Russell, Esquire, of Cleveland, State of Ohio; and Robert Rice Pierce, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that George A. Sutton, Esquire, of Pontiac, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neil Brooks, It is ordered that John J. Snyder, Esquire, of Harrisburg, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Little, It is ordered that Albert D. Mislor, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. MacMaster, It is ordered that Edwin D. Dupree, Jr., Esquire, of Pine Bluff, State of Arkansas; Carleton Harris, Esquire, of Pine Bluff, State of Arkansas; and John A. McLeod, Jr., Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick M. Kildea, It is ordered that Lawrence C. Moore, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester M. Mowin, It is ordered that Amos Bissell Glann, Esquire, of Apalachin, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James D. Hayes, It is ordered that Harold Anthony O'Connell, Esquire, of Springfield, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rosel H. Hyde, It is ordered that Bernard Koteen, Esquire, of Paterson, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Cooney, It is ordered that Edmund B. Naylon, Esquire, of New York, State of New York, and Royal F. Shepard, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Lipper Derricotte, It is ordered that W. Theophilus Jones, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan I. Silberberg, It is ordered that A. Roland Kestler, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Berger, It is ordered that Janet Coats Lowry, of Alexandria, Commonwealth of Virginia, and Robert B. Lowry, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Carroll L. Hoagland, It is ordered that Mary Poindexter Clark, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Lawrence J. Ehrhardt, It is ordered that Sydney J. Schneider, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving J. Levy, It is ordered that Carroll A. Cahen, Esquire, of Edmonds, State of Washington, and Nicholas E. Allen, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morris S. Schwartz, It is ordered that John Edward Dunphy, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest L. Wilkinson, It is ordered that William W. Owens, Esquire, of New York, State of New York, and Frederick W. R. Pride, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred L. Bennett, It is ordered that Jack Richard Kates, Esquire, of Los Angeles, State of California, and Nathan Kates, Esquire, of San Fernando, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin L. Kahn, It is ordered that Joseph W. Grier, Jr., Esquire, of Charlotte, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lloyd W. Patch, It is ordered that Bernard L. Eberts, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond T. Nagle, It is ordered that William B. Jones, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Mooers, It is ordered that Robert F. Sutphin, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Goodrich, It is ordered that Janie Cameron Lee, of Washington, District of Columbia, and Vinton E. Lee, Esquire, of the same, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Plaine, It is ordered that Thomas E. Dewey, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Ransom, It is ordered that Francis M. [illegible], Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] Vincent Lawson, Jr., It is ordered that [illegible], Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver D. Lester, It is ordered that Willard H. Fedrick, Esquire, of Fairfield, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Labor Relations Board,
Petitioner,
vs.
E. C. Atkins and Company.

No. 419

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: The Chief Justice, Mr. Justice Frankfurter, and Mr. Justice Jackson.

National Labor Relations Board, Petitioner, vs. Jones & Laughlin Steel Corporation. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

418

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: The Chief Justice, Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton.

The United States of America, Appellant, vs. Michael Walsh, an Individual, Trading as Kelp Laboratories. — Appeal from the District Court of the United States for the Southern District of California.

718

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be,

and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy,

Dissenting opinion by Mr. Justice Jackson.

Conway C. Craig, Bob McCracken and Tom Mulvany,

Petitioners,

241 vs.

John B. Harney, Sheriff of Nueces County, Texas.

On writ of certiorari to the Court o Criminal Appeals of the State of Tex

THIS CAUSE came on to be heard on the transcript of the record fr the Court of Criminal Appeals of the State of Texas, and was argued by coun

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Cour that the judgment of the said Court of Criminal Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and th same is hereby, remanded to the said Court of Criminal Appeals for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Frankfurter in which the Chief Justice joins.

Dissenting opinion by Mr. Justice Jackson.

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The Chief Justice announced the following orders of the Court:

State of Oklahoma and Champlin Refining Company,

Petitioners,

715 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals fo the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record fr the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Oklahoma.

Per Mr. Chief Justice Vinson.

The Times-Mirror Company, Norman Chandler, R. F. Marx, J. J. Cohen, and A. A. Kurze,

Petitioners,

1161 vs.

National Labor Relations Board.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Times-Mirror Company, Norman Chandler, R. F. Marx, J. J. Cohen, and A. A. Kurze,

Petitioners,

1161 vs.

National Labor Relations Board.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to make findings of fact.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In the Matter of The Disbarment of Hulon Capshaw.

No. ___.

This Court, by order of November 6, 1944, having directed the issue of a rule requiring Hulon Capshaw, of New York City, New York, a member of the bar of this Court, to show cause why he should not be disbarred from further practice of the law in this Court; and a rule having issued and the said Hulon Capshaw having filed a return thereto;

And this Court, by order of February 12, 1945, having referred the rule to show cause and the return aforesaid, together with all papers relating to the matter, to Mr. Christopher B. Garnett and Mr. Spencer [illegible], of Washington, D. C., and Mr. Harry N. Baetjer, of Baltimore, [illegible], as a committee of the bar of this Court, to make such inquiry into the matter as should be necessary or appropriate and thereupon to report to this Court;

And the report of said committee, the record and exhibits thereto having been received and filed, and counsel for the said Hulon Capshaw having filed a motion for oral argument and exceptions to the report of said committee;

Therefore, upon consideration of the report, recommendations of the committee, the record and exhibits, exceptions to the report, and motion for oral argument, it is ordered that the motion for oral argument upon the exceptions to the report of the committee be, and it is hereby, denied.

It is further ordered that the said Hulon Capshaw be, and he is hereby, disbarred from the further practice of the law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the bar of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

In the Matter of the Disbarment of
Leonard Eriksson.

128, Misc.

It having been reported to the Court that Leonard Eriksson, of Fergus Falls, Minnesota, has been disbarred from the practice of law by the Supreme Court of the State of Minnesota; and this Court by order of March 31, 1947, having suspended the said Leonard Eriksson from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the rule to show cause was duly issued and served upon the respondent, and that the time within which to file a return to the rule has expired;

It is ordered that the said Leonard Eriksson be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the bar of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

Thomas Henry Robinson, Jr.,

Petitioner,

141, Misc. vs.

Roy M. Shelbourne, Judge, etc.

On consideration of the application submitted herein by Thomas Henry Robinson, Jr.,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Panhandle Eastern Pipe Line Company,

Appellant,

1262 vs.

The Public Service Commission of Indiana, et al.

The statement of jurisdiction in this case having been submitte and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decisi of this question.

The United States of America, Order allowing certiorari.

Petitioner,

1193 vs.

Michael Di Re.

The petition herein for a writ of certiorari to the United Stat Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the t script of the proceedings belo[illegible] treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decisi of this application.

American Power & Light Company and Florida Power & Light Company,

Petitioners,

1214 vs.

Securities & Exchange Commission.

On petition for writ of certiorari the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herei the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decisi of this application.

Leonard East and Alvin G. East, Doing Business as L. East Produce Company,

Petitioners,

1215 vs.

Paul A. Porter, Administrator, Office of Price Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Virginia Dare Transportation Co., Inc.,

Petitioner,

1217 vs.

Norfolk Southern Bus Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Norfolk Southern Bus Corporation,

Petitioner,

1218 vs.

Virginia Dare Transportation Co., Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

R. D. Moser,
Petitioner,
vs.
Philip B. Fleming, Temporary Controls Administrator.

1219

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Texasteel Manufacturing Company, et al.,
Petitioners,
vs.
Seaboard Surety Company.

1226

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George W. Armstrong, Sr., et al.,
Petitioners,
vs.
Seaboard Surety Company.

1227

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jones & Laughlin Steel Corporation, Petitioner,
1236 vs.
United Mine Workers of America, and John L. Lewis, As a Representative Member Thereof, National Labor Relations Board, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S. L. Hurt, et al., Petitioners,
1239 vs.
Cotton States Fertilizer Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wall Wire Products Company, Petitioner,
1246 vs.
L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

R. L. Bradford,

Petitioner,

1252 vs.

The United States of America.

In petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Marguerite S. Glover,

Petitioner,

1253 vs.

Will. Coffing, Trustee in Bankruptcy, V-I-D, Inc., Debtor, et al.

In petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ruby Mayfield, Administratrix of the Estate of Reuben Thomas, Deceased,

Petitioner,

1254 vs.

Kansas City Life Insurance Company.

In petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Mr. Justice Douglas took no part in the consideration or decision of this application.

W. Comer Davis, Reese Perry and John C. Townley, as Tax Assessors of Fulton County, Georgia, et al.,

Petitioners,

1318 vs.

The Penn Mutual Life Insurance Company.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Alfred L. Hawkins and Laurence I. Prout,

Petitioners,

1097 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clyde Meeks,

Petitioner,

1186 vs.

Ben B. Stewart, Warden, Missouri State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision

Adolph Starr,
Petitioner,
1189 vs.
State Board of Law Examiners for the State of Indiana and the Supreme Court of Indiana.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Oliver Snell,
Petitioner,
1259 vs.
The State of Florida.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John J. Kern,
Petitioner,
1312 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James C. Jones, Petitioner,
1316 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County and the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gerald P. Pleeger, Petitioner,
1330 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sigurd Soross, Petitioner,
1331 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dewright Baxter,

Petitioner,

1332 vs.

State of Illinois.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County,

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Brill,

Petitioner,

1333 vs.

State of Illinois.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County,

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ex parte Edward J. Sterba, Jr.,

Petitioner.

126, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Willis Rogers,

Petitioner,

878 vs.

P. J. Squier, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Boyce Davis,

Petitioner,

912 vs.

James A. Johnston, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mae Owens Case,

Petitioner,

1250 vs.

The Government, Justice Department,
Civil Service Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julius Weisberg,

Petitioner,

1301 vs.

The People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Sanitary District of Chicago,

Petitioner,

953 vs.

Activated Sludge, Inc., Activated Sludge, Ltd., Edgar C. Guthard, et al., etc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing and of the second petition for rehearing in this cause,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted; and that the second petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of cases appearing upon this list in which judgments or orders are entered with the exception of case No. 715.

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O R D E R

The Court will take a recess from today until Monday, June 2, from that day until Monday, June 9, and from that day until Monday, June 16, upon which day it will adjourn for the term unless otherwise ordered.

No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

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Proclamation being made the Court is adjourned until Monday, June 2, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Elmer Thomas, It is ordered that Arthur Lory Rakestraw, of Oklahoma City, State of Oklahoma, and Bryan L. Rakestraw, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Carroll C. Hollensworth, Esquire, of Warren, State of Arkansas; Wm. Max Howell, Esquire, of Little Rock, State of Arkansas; and William L. Ward, Esquire, of Marianna, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Glen D. Johnson, It is ordered that Walter F. Hill, Esquire, of Prague, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. F. Norrell, It is ordered that Joe W. McCoy, Esquire, of Malvern, State of Arkansas, and Edwin Cash, Esquire, of Malvern, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh D. Scott, Jr., It is ordered that John H. Rice, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Howard S. Spering, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Thomas S. Wilson, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley E. Disney, It is ordered that A. Langley Coffey, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Mahon, It is ordered that L. D. Ratliff, Esquire, of Spur, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond S. Springer, It is ordered that Mart J. O'Malley, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray J. Madden, It is ordered that C. Ballard Harrison, Esquire, of Hammond, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis J. O'Marr, It is ordered that Zelma D. Derry, of Ogallala, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that James H. Gillard, Esquire, of Piedmont, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis W. Hill, Jr., It is ordered that Gilbert J. Stern, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Wolfred K. Peck, Esquire, of Alexandria, Commonwealth of Virginia, and Marcus L. Meyer, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Angus M. Taylor, Jr., It is ordered that Jon Cornelius Wiig, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Raphael M. Weissman, Esquire, of New York, State of New York, and William J. Wilson, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley Glenn Harding, It is ordered that Leander M. Sadtler, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. McFadden, It is ordered that Richard P. Heppner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isaiah Guyman Martin, It is ordered that Duncan C. Lee, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis A. Gravelle, It is ordered that Wilbur Lane, Esquire, of Flora, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas N. Tappy, It is ordered that Damon M. Gunn, Esquire, of Waterloo, State of Iowa, and Robert Lynn Lancefield, Esquire, of Berkeley, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward August Waldmann, It is ordered that Donald Lee Garver, Esquire, of Dodge City, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John R. Wall, It is ordered that Philip Price, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Davis, It is ordered that Julian M. Meer, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Linton M. Collins, It is ordered that William H. Quasha, Esquire, of Manila, Republic of the Philippines, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Gilligan, It is ordered that Lloyd T. Checkley, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl I. Wheat, It is ordered that McIntyre Faries, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrell O. Hoagland, It is ordered that Edwin L. Fisher, Esquire, of Bethesda, State of Maryland, and John A. Clark, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter C. English, It is ordered that Robert H. Hunter, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thayer Chapman, It is ordered that Gilbert G. Ackroyd, Esquire, of Alexandria, Commonwealth of Virginia; Carlos E. McAfee, Esquire, of Washington, District of Columbia; and Chester D. Silvers, Esquire, of Lexington, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph F. Miller, It is ordered that A. Newton Huff, Esquire, of Havertown, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Gerald Mayer, It is ordered that William R. Orlandi, Esquire, of Nanticoke, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Roney, It is ordered that Clyde Crabill Warren, Esquire, of Greenville, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Margaret Carter Hoyt, It is ordered that Austin Hoyt, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Haum It is ordered that Albert H. Allen, Esquire, of Beverly Hills, State of

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard E. Shands, It is ordered that Beverly Mosby Coleman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dwight David Doty, It is ordered that Robert W. Ball, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Katharine P. Crowley, It is ordered that Ruby M. Moss, of Washington, District of Columbia; Ida May Thayer, of Washington, District of Columbia; and Blanche Borton Ryder, of Vicksburg, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Miss; Miss; Mrs.)

On motion first made to the Court in this behalf by Mr. Henry Kaiser, It is ordered that Solly Robins, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray E. Dougherty, It is ordered that William Francis McKenna, Esquire, of East Greenwich, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Flaherty, It is ordered that Herndon Philpott Jeffreys, Jr., Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alanson W. Willcox, It is ordered that Arthur A. Dickerman, Esquire, of Greenbelt, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl Frederick Bauersfeld, It is ordered that A. King Braelow, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Houston, It is ordered that Joseph C. Maddy, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond C. Cushwa, It is ordered that Lemuel Skidmore, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Errett G. Smith, It is ordered that John R. Montgomery, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Charles B. Bayly, Jr., Esquire, of Cleveland, State of Ohio, and John E. Blackstone, Esquire, of Waukesha, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Brady, It is ordered that Leonard Bronner, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl B. Rix, It is ordered that Loyd Earl Wright, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Russell Bishop, It is ordered that David B. Alford, Esquire, of Middleburg, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elwood H. Seal, It is ordered that H. V. Forsyth, Esquire, of Ashland, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Ruth Weyand, It is ordered that Ben Grodsky, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Brian Groner, It is ordered that Emanuel S. Lowinger, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Miller, It is ordered that Carson M. Glass, Esquire, of Corpus Christi, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Yerka, It is ordered that Glenn F. Morgan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert T. Murphy, It is ordered that Harold F. Kehoe, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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John Myers, Petitioner,

367 vs.

Reading Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

The United States of America, Petitioner,

498 vs.

Honorable William F. Smith, a District Judge Especially Designated and Assigned to Hold the District Court of the United States for the Middle District of Pennsylvania, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with direction that writs issue to effect vacation of the order of the District Court for a new trial.

Per Mr. Justice Jackson.

Francis R. Cope, Jr., Petitioner, vs. A. M. Anderson, Receiver of the National Bank of Kentucky. — On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

593

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this case.

A. M. Anderson, Receiver of the National Bank of Kentucky, Louisville, Kentucky. Petitioner, vs. Lawrence S. Helmers, Lewis Levi, Oscar Schwartz, Alice Sterne. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

656

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this case.

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and The Ohio Oil Company.

THIS CAUSE came on to be heard on the exceptions and objections of the parties to the Report of the Special Master, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the case be, and it is hereby, recommitted to the Special Master for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

The United States of America,

Petitioner,

793 vs.

Elliott W. Michener.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Minnesota for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

I. H. Spears, Appellant, vs. Eva Mae Spears. — Appeal from the Supreme Court of the State of Michigan.

1286

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

I. H. Spears, Appellant, vs. Eva Mae Spears. — Appeal from the Supreme Court of the State of Michigan.

1286

TREATING the appeal papers herein from the Supreme Court of the State of Michigan as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

I. H. Spears, Appellant, vs. Eva Mae Spears. — Appeal from the Supreme Court of the State of Michigan.

1370

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

I. N. Spears, Appellant, vs. Eva Mae Spears. — Appeal from the Supreme Court of the State of Michigan.

1370

TREATING the appeal papers herein from the Supreme Court of the State of Michigan as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Corn Products Refining Company, Appellant, vs. The United States of America and Interstate Commerce Commission. — Appeal from the District Court of the United States for the Northern District of Illinois.

1309

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered that the motion to affirm the decree of the District Court in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

The United States of America, Appellant, vs. Clarke T. Wheelbarger. — Appeal from the District Court of the United States for the District of Oregon.

1334

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded

to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The United States of America, Appellant, vs. Irva Rambeau. — Appeal from the District Court of the United States for the District of Oregon.

1535

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The United States of America, Appellant, vs. S. J. Lewin. — Appeal from the District Court of the United States for the District of Oregon.

1536

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The United States of America,
Appellant,
1341 vs.
Max Sagner.

Appeal from the District Court of the United States for the District of Oregon.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Humble Oil & Refining Company,
Appellant,
1344 vs.
The Railroad Commission of Texas, et al.; and

Appeals from the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District.

Ploy K. Williams, et al.,
Appellants,
1345 vs.
The Railroad Commission of Texas, et al.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED AND ADJUDGED that the judgment of the said Court of Civil Appeals in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Frederick E. Bauer,

No. ____ vs.

Tom Clark, Attorney General of the United States.

ON CONSIDERATION of the application for the appointment of counsel herein,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorsey Edmondson,

Petitioner,

142, Misc. vs.

Patrick J. Brady, Warden, Maryland Penitentiary.

ON CONSIDERATION of the motion for leave to file a petition for certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Archie L. Maloyan,

Petitioner,

145, Misc. vs.

The United States Congress.

ON CONSIDERATION of the application submitted herein by Archie L. Maloyan,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Leroy Switzer,

Petitioner.

144, Misc.

ON CONSIDERATION of the application submitted herein by Leroy Switzer,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied for the reason that it is not made within the time provided by law.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Vashti McCollum,

Appellant,

1374 vs.

Board of Education of School District No. 71, Champaign County, Illinois, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Giles Kavanagh, Collector of Internal Revenue,

Petitioner,

1264 vs.

J. H. Noble.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

M. C. Jones, Collector of Internal Revenue, Order allowing certiorari.

Petitioner,

1265 vs.

The Liberty Glass Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Marianna Von Moltke, Order allowing certiorari.

Petitioner,

1285 vs.

A. Blake Gillies, Superintendent of the Detroit House of Correction.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mandeville Island Farms, Inc., and Roscoe C. Zuckerman, Order allowing certiorari.

Petitioners,

1300 vs.

American Crystal Sugar Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Jose Audon Salazar Delgadillo, Order allowing certiorari.

Petitioner,

1244 vs.

Albert Del Guercio, District Director,
Immigration and Naturalization Service,
United States Department of Justice,
District No. 16.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

William Shapiro, Order allowing certiorari.

Petitioner,

1098 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

1401 vs.

James Hoffman.

This case is transferred to the summary docket and assigned for argument immediately following No. 1098.

Per Mr. Chief Justice Vinson.

George J. Furman, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

1317

It appearing to the Court that petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

William I. Heffron, Trustee in Bankruptcy of the Estate of Bert O. Adams, etc., et al., Petitioners, vs. The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1139

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Modern Reed and Rattan Company, Inc., and Achille Giannasca.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1154

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bankers Farm Mortgage Company, Petitioner, vs. The United States. — 1155

On petition for writ of certiorari t
The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein t the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kiyoichi Fujikawa, et al., Petitioners, vs. The Sunrise Soda Works Company, et al. — 1210

On petition for writ of certiorari t
the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein t the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of New York, Petitioner, vs. The United States of America (Relative to the Condemnation by the United States of Certain Easement Rights in 220 Acres of Land in Essex and Hamilton Counties, New York). — 1237

On petition for writ of certiorari t
the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein t the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Isaac T. Rackley, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1240

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Henry Lea, Jr., Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1247

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fernando Quinones Jimenez, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

1251

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William F. Brack, Petitioner. On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

1252

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vica Company, Petitioner, vs. Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1260

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Tunget, Petitioner, vs. Commonwealth of Kentucky. On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

1267

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anglin & Stevenson, et al., Petitioners, vs. The United States of America, For Itself and For Its Indian Wards, Annie Beams, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

1270

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby,

Refrigeration Patents Corporation, Petitioner, vs. Stewart-Warner Corporation. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1273

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Potter Refrigerator Corporation, Petitioner, vs. Stewart-Warner Corporation. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1274

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Bailey, et al., Petitioners, vs. Edward O. Proctor, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

1275

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Bailey, et al., Petitioners,

1276 vs.

Hugh D. McLellan, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of the Application to Discipline Jules Chopak, Petitioner.

1277

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John B. Wootten and John B. Wootten, as Trustee Under the Last Will and Testament of R. K. Wootten, Deceased, Petitioner,

1278 vs.

Carl Eklund Wootten, a Minor, by and Through His Mother and Next Friend, Vendla E. Wootten.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John B. Wootten and John B. Wootten, as Trustee Under the Last Will and Testament of M. K. Wootten, Deceased,

Petitioner,

1279 vs.

Vendia E. Wootten.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vail Manufacturing Company,

Petitioner,

1280 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis X. Gomila,

Petitioner,

1282 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred W. Masters, Petitioner, vs. The New York Central Railroad Company. — On petition for writ of certiorari to the Supreme Court of the State of Ohio.

1297

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Ada M. Wilkinson, Central Hanover Bank & Trust Company, Executor, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1298

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Standard Oil Company, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

1299

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Republic of the United States of Brazil, Trading Under the Name and Style of Lloyd Brasileiro, as Owner of the S. S. Pocone, for Exoneration,

Petitioner,

1302 vs.

The Great Atlantic & Pacific Tea Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Crews, Charley Crews, Robert Crews, et al.,

Petitioners,

1308 vs.

D. J. Oven, A. D. N. Champlin, Helen Champlin Oven, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

1303 vs.

Singer Sewing Machine Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Petitioner, vs. Singer Sewing Machine Company. 1304 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Petitioner, vs. Singer Sewing Machine Company. 1305 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stokes & Smith Company, Petitioner, vs. Transparent-Wrap Machine Corporation. 1376 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Balogh, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1342

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James M. Curley, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

1211

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition should be granted.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

Donald Wakefield Smith, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

1235

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition should be granted.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

A. J. Helfend,

Petitioner,

1234 vs.

Philip B. Fleming, Temporary Controls Administrator.

ON CONSIDERATION of the motion of the Acting Solicitor General of the United States to substitute Frank R. Creedon, Housing Expediter, who assumed office May 4, 1947, by virtue of Executive Order No. 9841, as the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

A. J. Helfend,

Petitioner,

1234 vs.

Frank R. Creedon, Housing Expediter.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The P. Dougherty Company,

Petitioner,

1271 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion to defer consideration of the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The P. Dougherty Company, Petitioner, vs. Commissioner of Internal Revenue. 1271 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben F. Hopkins, Petitioner, vs. Commissioner of Internal Revenue. 1296 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Jerome A. Nevius, Petitioner, vs. State of Ohio. 1315

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Jerome A. Nevius, Petitioner, vs. State of Ohio.

1515

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace James Cruse, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

748

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Cannady, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

777

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy L. Story,
Petitioner,
956 vs.
Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. William Gerald Bishop,
Petitioner,
1109 vs.
Frank Watkins, District Director of Immigration and Naturalization for the Southern District of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman A. Setser,
Petitioner,
1111 vs.
E. J. Welch, Superintendent, District of Columbia Reformatory.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Calhoun, Petitioner,

1112 vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bessie Higgins, Petitioner,

1177 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Michael Murphy, Petitioner,

1238 vs.

State of Wisconsin.

On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Blackwell,
Petitioner,
1287 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Albany County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Wilson,
Petitioner,
1293 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,
Petitioner,
1343 vs.
Edgar E. Pomeroy, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Johnson,
Petitioner,
1359 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph C. Roberts,
Petitioner,
1364 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William G. Hayes,
Petitioner,
1375 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James H. Johnson, Petitioner,
1379 vs.
Clarence D. Clow.

On petition for writ of certiorari to the Appellate Division of the Supreme Court, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William F. Krell, Petitioner,
1381 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Williams, Petitioner,
1387 vs.
Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John E. Kennedy,
Petitioner,
1388 vs.
C. J. Burke, Warden, Eastern State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles E. Thompson,
Petitioner,
1390 vs.
State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, June 9, next, at 12 o'clock.

MONDAY, JUNE 9, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Brnalis Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Franz E. Swaty, Esquire, of Arkadelphia, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Louis M. Hopping, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard F. Harless, It is ordered that James J. Silver, Esquire, of Tucson, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Devitt Vanech, It is ordered that James E. Palmer, Jr., Esquire, of Merrifield, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Byron B. Harlan, It is ordered that Louis A. Boxleitner, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. Jamieson, It is ordered that Vivian I. Goad, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. A. Leonard Allen, It is ordered that Frank H. Peterman, Esquire, of Alexandria, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond S. Springer, It is ordered that C. James McLemore, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Knox McMullan, It is ordered that R. D. Everitt, Esquire, of Ruleville, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh D. Scott, Jr., It is ordered that Howard Murray Kuenner, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles V. Imlay, It is ordered that Norman R. Bradley, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. Regan, Jr., It is ordered that John A. Geisz, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Heinrich Spang, It is ordered that Robert K. Light, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Harrington, It is ordered that Hugh Barbour Hutchison, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence C. Moore, It is ordered that Milton R. Wexler, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Ezzell McRae, It is ordered that Bernard C. Brannon, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wallace Haynes Walker, It is ordered that Lowell Starbuck Nicholson, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert F. Riepinger, It is ordered that William H. Webb, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. McFadden, It is ordered that Francis A. Brick, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl A. Phillipps, It is ordered that Joseph F. O'Connell, Jr., Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Schlesinger, It is ordered that Irwin S. Rubin, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monroe Oppenheimer, It is ordered that Maxwell Brandwen, Esquire, of New York, State of New York, and Isadore G. Alk, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Forest A. Harness, It is ordered that Walter J. Bixler, Esquire, of Peru, State of Indiana, and Harry K. Cuthbertson, Esquire, of Peru, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman A. Greenberg, It is ordered that Simon A. Bahr, Esquire, of New Brunswick, State of New Jersey; Albert I. Schmalholz, Esquire, of New York, State of New York; and Irving Tick, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earle L. Beatty, It is ordered that Benjamin Weinmer, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Edward Casey, It is ordered that Jerome Alfred Policari, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Linton M. Collins, It is ordered that Nat M. Kahn, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. R. Polsom-Jones, It is ordered that John Ward Cutler, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver Bassuener, It is ordered that Oscar Shienbrood, Esquire, of Kenosha, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert H. Conner, It is ordered that John M. Moeur, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Henry J. Kiernan, Esquire, of New York, State of New York; Lewis W. Olliffe, Esquire, of Brooklyn, State of New York; and Saul J. Jaffe, Esquire; of Passaic, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Tannen, It is ordered that Alfred Meisner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Sophronia J. Lasica, It is ordered that Mary M. Emery, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Warren E. Miller, It is ordered that David S. Allshouse, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Darius P. Prince, It is ordered that Daniel F. Kemp, Esquire, of Riverside, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John R. Wall, It is ordered that James G. Johnson, Jr., Esquire, of Larchmont, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest L. Wilkinson, It is ordered that Gordon Burt Affleck, Esquire, of Salt Lake City, State of Utah, and Woodruff J. Deem, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Beverly Mosby Coleman, It is ordered that John Donald Hauselt, Esquire, of Wellsville, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Brian Groner, It is ordered that Myman Scher, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, and Harold Alper, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harlan Wood, It is ordered that George W. Murphy, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham Tunick, It is ordered that Max L. Rothenberg, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Olen Henderson, It is ordered that Fred J. Moses, Jr., Esquire, of Knoxville, State of Tennessee, and Henry K. Williams, Jr., Esquire, of Knoxville, State of Tennessee, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Erdahl, It is ordered that Alexander Georges, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert F. Beasley, It is ordered that William B. Gittens, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Freehill, It is ordered that Frank X. Brown, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Macrelli, It is ordered that William J. Hughes, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Order of United Commercial Travelers of America,

Petitioner,

vs.

Edward C. Wolfe.

On writ of certiorari to the Supreme Court of the State of South Dakota.

32

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge join.

The Gospel Army, a Corporation,
Appellant,

vs.

The City of Los Angeles, Board of Social Service Commissioners, Department of Social Service, et al.

Appeal from the Supreme Court of the State of California.

103

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Rutledge.

The Rescue Army, a Corporation, and Charles T. Murdock,
Appellants,

vs.

The Municipal Court of the City of Los Angeles.

Appeal from the Supreme Court of the State of California.

574

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed at the cost of appellants but without prejudice to the determination in the future of any issues arising under the Federal Constitution from further proceedings in the Municipal Court of Los Angeles.

Per Mr. Justice Rutledge.

Mr. Justice Black concurs in the result.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Douglas joins.

The United States of America, Petitioner, vs. Samuel Bayer, Elias Bayer, and Walter V. Radovich.

606

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed and that of the District Court is affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Frankfurter.

Mr. Justice Rutledge is of the view that the judgment of the Circuit Court of Appeals should be affirmed insofar as it relates to the respondent Radovich for the reasons stated in that Court's opinion.

Brotherhood of Railroad Trainmen, an Unincorporated Association, Appellant, vs. The Baltimore and Ohio Railroad Company, The Chesapeake and Ohio Railway Company, Erie Railroad Company, et al.

970

Appeal from the District Court of the United States for the Northern District of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment or order of the said District Court denying leave to the Brotherhood to intervene be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

626 vs.

Alvina Allen, Gertrude Dinwiddie, Hilda Pigozzi, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed in part and affirmed in part; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Opinion by Mr. Justice Rutledge concurring in part.

William Greenough and George Henry Warren, Jr., Trustees,

Appellants,

461 vs.

Tax Assessors of the City of Newport, and Edward L. Leahy, Tax Administrator of the State of Rhode Island.

Appeal from the Superior Court of the County of Newport, State of Rhode Island.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the County of Newport, State of Rhode Island, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Rutledge in which the Chief Justice concurs.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ex parte Robert H. Best,

Petitioner.

107, Misc.

ON CONSIDERATION of the motion of counsel for petitioner to dismiss the application of Robert H. Best,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted, and the application herein is dismissed.

Per Mr. Chief Justice Vinson.

Frank Ford,

Petitioner,

146, Misc. vs.

Joseph E. Ragen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Hooper,

Petitioner,

148, Misc. vs.

Joseph E. Ragen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David H. Johnson,

Petitioner,

147, Misc. vs.

State of Utah.

ON CONSIDERATION of the application submitted herein by David H. Johnson,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Henry McMonigle,

Petitioner,

151, Misc. vs.

People of the State of California.

ON CONSIDERATION of the application for a stay of execution of the death sentence herein,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

464 vs.

Line Material Company, General Electric Company, James R. Kearney Corporation, et al.; and

The United States,

Petitioner,

862 vs.

John J. Felin & Co., Inc.

These cases are ordered restored to the docket and assigned for re-argument.

Per Mr. Chief Justice Vinson.

Marriner S. Eccles, Ronald Ransom,
M. S. Szrmczak, et al.,

Petitioners,

1414 vs.

Peoples Bank of Lakewood Village, California.

ON CONSIDERATION of the motion of counsel for respondent to extend the time within which to file respondent's brief in this case,

IT IS ORDERED that the said motion be, and the same is hereby, granted and the time is extended to July 7, 1947.

Per Mr. Chief Justice Vinson.

Wesley William Cox, Order allowing certiorari.

Petitioner,

1256 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. The case is consolidated for argument with Thompson vs. United States and Roisum vs. United States, Nos. 1257 and 1258.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Theodore Romaine Thompson, Order allowing certiorari.

Petitioner,

1257 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. The case is consolidated for argument with Cox vs. United States and Roisum vs. United States, Nos. 1256 and 1258.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Wilbur Roisum, Order allowing certiorari.

Petitioner,

1258 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. The case is consolidated for argument with Cox vs. United States and Thompson vs. United States, Nos. 1256 and 1257.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Donald Wade,

Petitioner,

1024 vs.

Nathan Mayo, as State Prison Custodian of the State of Florida.

ON CONSIDERATION of the motion for leave to proceed in forma pauperis in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Donald Wade, Order allowing certiorari.

Petitioner,

1024 vs.

Nathan Mayo, as State Prison Custodian of the State of Florida.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lee Arenas, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1141

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Lee Arenas. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1272

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Petitioner, vs. The United States of America, ex rel. John H. Rooney. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

1196

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

G. E. Gray, J. C. Pitts and Floyd Brown, Petitioners, vs. Commodity Credit Corporation. 1281

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wabash Oil and Gas Association, Petitioner, vs. Commissioner of Internal Revenue. 1307

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bush Terminal Railroad Company, Petitioner, vs. Bush Terminal Building Company. 1310

On petition for writ of certiorari to the Supreme Court of New York, Appellate Division, Second Judicial Department.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of New York, Appellate Division, Second Judicial Department, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Kempe,

Petitioner,

1313 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James E. Henderson, as Executor of the Last Will and Testament of Nellie Euretta Taylor, Deceased,

Petitioner,

1326 vs.

Ethel Strickland Rogan, Individually and as Executrix of the Last Will and Testament of Nat Rogan, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Dooley,

Petitioner,

1327 vs.

G. B. Scott, Administrator of the Estate of Thomas A. Scott, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy D. Keehn, as Receiver of Central Mutual Insurance Company of Chicago,

Petitioner,

1328 vs.

Brady Transfer & Storage Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Ward,

Petitioner,

1337 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The New York Central Railroad Company, et al.,

Petitioners,

1418 vs.

Henry K. Norton, Successor Trustee of New York, Susquehanna and Western Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The New York Central Railroad Company, et al.,

Petitioners,

1419 vs.

New York Life Insurance Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paysoff Tinkoff,

Petitioner,

1263 vs.

Nigel D. Campbell, Collector of Internal Revenue.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Paysoff Tinkoff,

Petitioner,

1265 vs.

Nigel D. Campbell, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bennett Mellen, a Minor, By His Father and Next Friend, Joseph H. Mellen,

Petitioner,

1322 vs.

H. B. Hirsch & Sons, et al.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Bennett Mellen, a Minor, by His Father and Next Friend Joseph H. Mellen,

Petitioner,

1322 vs.

H. B. Hirsch & Sons, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel L. Geiselman,

Petitioner,

1347 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Nassau County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Hammond, Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

1360

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Campiglia, Petitioner,
vs.
State of New York.

On petition for writ of certiorari to the County Court of Suffolk County, State of New York.

1365

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewright Baxter, Petitioner,
vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1398

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Cunningham,
Petitioner,
1399 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward McCollister,
Petitioner,
1400 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann,
Petitioner,
1040 vs.
Tom C. Clark, Attorney General of the United States, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied. The motion for oral argument and other relief is also denied.

Per Mr. Chief Justice Vinson.

State of New York, State of Delaware,
State of Indiana, et al.,

Appellants,

343 vs.

The United States of America, Interstate
Commerce Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Horace A. Hildreth, Governor of the State
of Maine, et al.,

Appellants,

344 vs.

The United States of America, Interstate
Commerce Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Gorum and National Mutual Casualty
Company,

Petitioners,

575 vs.

Ruby O. Loudenslager and Charlotte
Loudenslager.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Ruben,

Petitioner,

1026 vs.

E. J. Welch, Superintendent of the District of Columbia Reformatory.

A petition for rehearing having been filed in this case

UPON CONSIDERATION thereof, it is ordered by this Court

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Mattie L. Smith,

Appellant,

1096 vs.

Jefferson County, Georgia, etc., et al.

A petition for rehearing having been filed in this case

UPON CONSIDERATION thereof, it is ordered by this Court

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ira B. Arnstein,

Petitioner,

1106 vs.

Cole Porter.

A petition for rehearing having been filed in this case

UPON CONSIDERATION thereof, it is ordered by this Court

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dimas Ygnacio Ybarra Amaya, et al.,

Petitioners,

1127 vs.

Stanolind Oil and Gas Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Hefler, George Levy, and Al Levy,

Petitioners,

1128 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louise C. Bennion,

Petitioner,

1133 vs.

New York Life Insurance Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Hensley,

Petitioner,

1138 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small,

Petitioner,

1142 vs.

People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Wilkerson,

Petitioner,

1233 vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Anna C. Lewis, et al.,

Petitioners.

127, Misc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Harris,

Petitioner,

34 vs.

The United States of America.

ON CONSIDERATION of the motions for leave to file briefs of the American Civil Liberties Union, Congress of Industrial Organizations, Brotherhood of Railroad Trainmen, and National Lawyers Guild as amici curiae in this case,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

George Harris,

Petitioner,

34 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mishawaka Rubber and Woolen Manufacturing Company,

Petitioner,

217 vs.

Panther-Panco Rubber Co., Inc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian B. Everett,

Petitioner,

300 vs.

Wallis W. Downing.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert L. Peyton,

Petitioner,

1016 vs.

Railway Express Agency, Inc.

ON CONSIDERATION of the motion for leave to file a third petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Jackson,

Petitioner,

1187 vs.

State of Tennessee.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Alice Martens Young, etc.,

Petitioner,

1194 vs.

Clinton P. Anderson, Secretary of Agriculture of the United States, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sonnie Dobbs, Jr.,

Appellant,

1294 vs.

State of Mississippi.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Proclamation being made the Court is adjourned until Monday, June 16, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Tom C. Clark, It is ordered that Robert Lanier Clark, Esquire, of Dallas, State of Texas; Helen May Bloedorn, of Silver Spring, State of Maryland; Robert C. McConnell, Esquire, of Roswell, State of New Mexico; Edith H. Lowenstein, of Chicago, State of Illinois; Leon Yudkin, Esquire, of Brooklyn, State of New York; Robert A. Collier, Esquire, of Wichita Falls, State of Texas; Gilbert T. Adams, Esquire, of Beaumont, State of Texas; and Chas. W. Anderson, Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Miss)

On motion first made to the Court in this behalf by Mr. Richard F. Harless, It is ordered that Hoyt S. Irving, Esquire, of Bisbee, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jos. R. Bryson, It is ordered that Jesse M. Boyd, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Frederick C. Weyher, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fadjo Cravens, It is ordered that Harold Sharpe, Esquire, of Forrest City, State of Arkansas, and Luke Arnett, Esquire, of Little Rock, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur G. Klein, It is ordered that Leo F. Rayfiel, Esquire, of Brooklyn, State of New York, and Abraham J. Multer, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Warren G. Magnuson, It is ordered that Clay Nixon, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Noble J. Johnson, It is ordered that Ernest M. Wright, Esquire, of Terre Haute, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Samuel F. Cohn, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Owens, It is ordered that Robert Emmett Dowling, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl Middleton English, It is ordered that Karl M. Bullak, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley E. Disney, It is ordered that Will Rogers, Esquire, of Bessie, State of Oklahoma, and William Howard Payne, Esquire, of El Reno, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward P. Hodges, It is ordered that William P. Baskin, Esquire, of Bishopville, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton A. Smith, It is ordered that Kenneth P. Laird, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David L. Krooth, It is ordered that George L. Siegel, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul D. Page, Jr., It is ordered that Ralph Dickson, Esquire, of Wichita Falls, State of Texas, and Louis Zimmet, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Herman Clay Beasley, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen B. Arthur, It is ordered that Mildred Dagny Aaberg, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. George L. Powell, It is ordered that Marion A. Hornbeck, Esquire, of Glendale, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. O. Stanley, It is ordered that William Bronson Blackburn, Esquire, of Pikeville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrell O. Hoagland, It is ordered that Casper Shepard McClelland, Esquire, of Washington, District of Columbia, and Elmo V. Coens, Esquire, of Bethesda, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Cotton, It is ordered that George Pellettieri, Esquire, of Trenton, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Cicero Wilson, It is ordered that Samuel Perman, Esquire, of Worcester, Commonwealth of Massachusetts; Robert Merkle, Esquire, of Cleveland, State of Ohio; and Clarence Benjamin Dutton, Jr., Esquire, of Sullivan, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Ruth Weyand, It is ordered that Maurice M. Miller, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald B. Anderson, It is ordered that Fay Lee Berger Anderson, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Thos. M. Darnall, It is ordered that Clyde Neil Johnson, Esquire, of Manchester, State of Iowa, and Elwood H. Olsen, Esquire, of Beresford, State of South Dakota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Mueffner, It is ordered that Louis W. Sheahan, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy Atwood Shay, It is ordered that Chester A. Dick, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Katharine P. Crowley, It is ordered that Matthew W. Rinfrette, Esquire, of Washington, District of Columbia; Rita Doherty Hornyak, of Washington, District of Columbia; and Bernard J. Bordenet, Esquire, of Greenbelt, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Franklin Clyde Baggarly, It is ordered that Anderson H. Tackett, Esquire, of Pikeville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sutherland Elmore, It is ordered that Ida Iris Klose, of Baltimore, State of Maryland, and Robert Sheriffs Moss, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that Jack Kranis, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David London, It is ordered that Benjamin Eisenbogen, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin W. Meyer, It is ordered that Clara L. Longstreth, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Carroll L. Beedy, It is ordered that Daniel J. Andersen, Esquire, of Jamestown, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. Edward O'Connell, It is ordered that I. Irving Tubis, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and John Patrick Walsh, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Aircraft & Diesel Equipment Corporation, Appellant, vs. Maurice Hirsch, E. D. McDougal, John R. Paul, et al. — Appeal from the District Court of the United States for the District of Columbia.

95

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Rutledge.

Mr. Justice Jackson concurs in the result.

Dissenting: Mr. Justice Douglas.

Mexican Light & Power Company, Ltd., Petitioner,
404 vs.
The Texas Mexican Railway Company.

On writ of certiorari to the Supreme Court of the State of Texas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson joins.

J. Robert Bazley, Petitioner,
287 vs.
Commissioner of Internal Revenue.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Douglas and Mr. Justice Burton.

Adam A. Adams, Petitioner,
209 vs.
Commissioner of Internal Revenue.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Douglas and Mr. Justice Burton.

The United States of America, Petitioner,
77 vs.
William M. Dickinson.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of West Virginia.

Per Mr. Justice Frankfurter.

The United States of America, Petitioner,
78 vs.
F. H. Withrow.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of West Virginia.

Per Mr. Justice Frankfurter.

The United States of America, Petitioner, vs. Albert Silk, Doing Business as Albert Silk Coal Company. 312

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed in part and reversed in part; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Separate opinion by Mr. Justice Rutledge.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy.

Carter H. Harrison, Individually and as Collector of Internal Revenue, Petitioner, vs. Greyvan Lines, Inc. 673

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois.

Per Mr. Justice Reed.

Separate opinion by Mr. Justice Rutledge.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy.

Rutherford Food Corporation and The George Kaiser Packing Company,

Petitioners,

562 vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE CAME on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals, in this cause, be, and the same is hereby, modified as indicated in the opinion of this Court and, as so modified, affirmed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Harrison Williams, Clifford F. Stone, Sidney J. Weinberg, et al.,

Petitioners,

850 vs.

Carl J. Austrian and Robert G. Butcher, as Trustees of Central States Electric Corporation.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Interstate Natural Gas Company, Petitioner, vs. Federal Power Commission, Louisiana Public Service Commission, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

733

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

John P. McWilliams, Petitioner, vs. Commissioner of Internal Revenue. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

945

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this case.

Estate of Susan P. McWilliams, Deceased, John P. McWilliams, Executor,
Petitioner,
946 vs.
Commissioner of Internal Revenue.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this case.

Brooks B. McWilliams,
Petitioner,
947 vs.
Commissioner of Internal Revenue.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

Raymond E. Wade, et al., Co-partners, Doing Business as Cadillac Tool and Die Company, et al.,

Appellants,

724 vs.

Henry L. Stimson, et al.

Appeal from the District Court of the United States for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Alaska Juneau Gold Mining Company,

Petitioner,

836 vs.

E. E. Robertson, as Representative of and on Behalf of J. A. Behrends, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

A petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the petition for rehearing be, and the same is hereby, granted.

It is further ordered that the order entered May 12, 1947, denying certiorari, be, and the same is hereby, vacated; and that the petition for writ of certiorari herein be, and the same is hereby, granted limited to the question presented by the petition for rehearing as to the effect of the Portal-to-Portal Act of 1947, approved May 14, 1947.

It is further ordered that the judgment of reversal of the Circuit Court of Appeals be, and it is hereby, modified so as to provide that on remand to the District Court that court shall have authority to consider any matters presented to it under the Portal-to-Portal Act of 1947. Costs in this Court are to be paid by petitioner.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

James J. Carr,

Petitioner,

149, Misc. vs.

People of the State of New York.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gordon Finkle,

Petitioner,

152, Misc. vs.

Joseph E. Ragen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Van Pelt,

Petitioner,

153, Misc. vs.

Joseph E. Ragen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Fitzpatrick,

Petitioner.

96, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Tomanek,

Petitioner,

150, Misc. vs.

Joseph E. Ragen, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daisy C. Tegtmeyer,

Petitioner,

154, Misc. vs.

Henry Tegtmeyer.

ON CONSIDERATION of the application submitted herein by Daisy C. Tegtmeyer,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. P. Sewell and R. B. Sewell,

Petitioners,

754 O.T. '45 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion for an extension of time within which to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Jackson took no part in the consideration or decision of this application.

A. N. Cone,

Petitioner,

184 vs.

West Virginia Pulp and Paper Co.

ON CONSIDERATION of the motion to recall and amend the mandate in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James F. Morris,

Petitioner,

425 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

ON CONSIDERATION of the motion of the Acting Solicitor General to substitute William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, as the party respondent in this case in place of L. Metcalfe Walling, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the cause is so continued and maintained.

Per Mr. Chief Justice Vinson.

Rutherford Food Corporation and the George Kaiser Packing Company,

Petitioners,

562 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

ON CONSIDERATION of the motion of the Acting Solicitor General to substitute William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, as the party respondent in this case in

place of L. Metcalfe Walling, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the cause is so continued and maintained.

Per Mr. Chief Justice Vinson.

149 Madison Avenue Corporation and Williams & Co., Inc.,

Petitioners,

497 vs.

Frank Asselta, Camilo Del Rio, Joseph McArdle, et al.

ON CONSIDERATION of the motion of counsel for the petitioners to modify the judgment of this Court in this case, it is ordered that the judgment of affirmance entered herein on May 5, 1947, be modified so as to provide that the judgment of the Circuit Court of Appeals is affirmed and the cause is remanded to the District Court with authority in that court to consider any matters presented to it under the Portal-to-Portal Act of 1947, approved May 14, 1947.

Per Mr. Chief Justice Vinson.

Marianna Von Moltke,

Petitioner,

1285 vs.

A. Blake Gillies, Superintendent of the Detroit House of Correction.

ON CONSIDERATION of the motion of petitioner for enlargement on recognizance,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the matter is referred to the District Court for determination as to whether surety ought to be required or the personal recognizance of the petitioner shall suffice and for the entry of an appropriate order.

Per Mr. Chief Justice Vinson.

Samuel H. Rabin,

Petitioner,

1486 vs.

People of the State of Michigan.

ON CONSIDERATION of the application for a stay of the proceedings in the Supreme Court of Michigan in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chicago and Southern Air Lines, Inc., Order allowing certiorari.

Petitioner,

1340 vs.

Waterman Steamship Corporation.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Civil Aeronautics Board, Order allowing certiorari.

Petitioner,

1371 vs.

Waterman Steamship Corporation.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Memphis Natural Gas Company, Petitioner, vs. A. H. Stone, Chairman, State Tax Commission of Mississippi. — Order allowing certiorari.

1383

The petition herein for a writ of certiorari to the Supreme Court of the State of Mississippi is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

A. V. Pownall, Grace M. Pownall and Henes-Morgan Machinery Company, Ltd., Petitioners, vs. The United States of America. — Order allowing certiorari.

1295

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Alexander Wool Combing Company, Petitioner, vs. The United States of America. — Order allowing certiorari.

1391

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Jacob Lichter and Jennie L. Lichter, Individually and as Co-partners, Doing Business as Southern Fireproofing Company, a Co-partnership,

Petitioners,

1427 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

1395 vs.

Estate of Francois L. Church, Deceased, Edward E. Black, Executor.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is transferred to the summary docket and assigned for argument immediately following No. 1144, Spiegel, et al. vs. Commissioner of Internal Revenue.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John Harvey Haley,

Petitioner,

1123 vs.

The State of Ohio.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

John Harvey Haley, Order allowing certiorari.

Petitioner,

1123 vs.

The State of Ohio.

The petition herein for a writ of certiorari to the Supreme Court of the State of Ohio is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Albert Lee,

Appellant,

1377 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Albert Lee, Appeal from the Supreme Court of the

Appellant, State of Mississippi.

1377 vs.

State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

TREATING the papers whereon the appeal was allowed as a petition for writ of certiorari as required by Sec. 237(c) of the Judicial Code as amended, 28 U. S. C., Sec. 344(c), certiorari is granted, and the case is assigned for argument immediately following No. 1123, Haley vs. State of Ohio.

Per Mr. Chief Justice Vinson.

Wes H. Morgan and Bessie H. Morgan, Petitioners, vs. Daniel T. Gilman, Also Known as Daniel Grimble Gilman, II. — On petition for writ of certiorari to the Supreme Court of the State of Florida.

1422

IT APPEARING to the Court that counsel for petitioners have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Howard T. Jensen, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

1220

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oscar Nelson, Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

1311

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Southern Pacific Company, Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

1314

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred C. Cave, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

1320

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. A. Poteet, R. O. Jackson, Harry Wright, et al., Petitioners, vs. Steve Rogers. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

1321

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The J. L. Hudson Company,

Petitioner,

1324 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Todd Shipyard Corporation, Successor by Merger to Robins Dry Dock & Repair Company,

Petitioner,

1329 vs.

Grace Puleo, as Administratrix of the Estate of Peter Puleo, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. E. Moss & Company, Owner of the S. S. "Lucellum,"

Petitioner,

1384 vs.

Grace Puleo, as Administratrix of the Estate of Peter Puleo, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond de Filippis,

Petitioner,

1338 vs.

Chrysler Corporation, Chrysler Sales Corporation, Studebaker Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank F. Whitfield, Individually and as Guardian of and for Harold R. Whitfield, an Incompetent,

Petitioner,

1357 vs.

Theodore D. Parsons and Harry B. Heaviland, Executor of the Last Will and Testament and Codicil of Howard Whitfield, Deceased, et al.

On petition for writ of certiorari to the Court of Errors and Appeals, State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Errors and Appeals, State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

McAllister Lighterage Line, Inc., as Claimant of the Tug G. M. McAllister,

Petitioner,

1358 vs.

P. Dougherty Company, as Owner of the Barge Harford.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph B. Mellor, Petitioner, vs. The United States of America. 1361

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles J. Ford, Petitioner, vs. The United States of America. 1362

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oscar K. Smith, Petitioner, vs. The United States of America. 1373

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter L. Young,
Petitioner,
1380 vs.
Territory of Hawaii.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Hancock Mutual Life Insurance Company,
Petitioner,
1386 vs.
Rhoda S. Gaunt, Individually and As Administratrix of the Estate of James A. Gaunt, Jr., Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chris. Christiansen, et al.,
Petitioners,
1392 vs.
Margaret Christiansen.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Fletcher Lowrey, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

1394

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson

Sadie Goldbaum, Petitioner, vs. The United States of America and Harry R. Strauss. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1428

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rebecca Niewiadomski, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

1243

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Red Star Barge Line, Inc., and Red Star Towing & Transportation Company,

Petitioners,

1430 vs.

Delores Rose Forco.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Modern Manufacturing Co., Inc.,

Petitioner,

1431 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jacob Louis Auerbach,

Petitioner,

1432 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles A. Mersten, an Individual Doing Business as Mersten Motor Company,

Petitioner,

1447 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Friedman's Express, Inc., and The Girard Fire and Marine Insurance Company,

Petitioners,

1450 vs.

Mildred Loeb, Individually and as Trustee for Carol Loeb and William Loeb and Harry Rubenstein, Co-Partners Doing Business Under the Firm Name and Style of Starlet Underwear Co.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Twyeffort, Inc.,

Petitioner,

987 vs.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

ON CONSIDERATION of the motion of the Acting Solicitor General to substitute William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, as the party respondent in this case in place of L. Metcalfe Walling, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the cause is so continued and maintained.

Per Mr. Chief Justice Vinson.

Twyeffort, Inc., Petitioner, vs. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

987

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Krol, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1020

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Bolster, Petitioner, vs. State of Michigan.

1022

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Selvie Winfield Wells, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1137

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ike Young, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1152

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. L. Myers, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

1228

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Smith, Petitioner,

1245 vs.

R. H. Hudspeth, Warden of the Kansas State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jerry McCabe, Petitioner,

1323 vs.

State of Arkansas.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Merlin James Smith, Petitioner,

1356 vs.

The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cassius S. McDonald,

Petitioner,

1366 vs.

Walter A. Hunter, Warden of the United States Penitentiary, Leavenworth, Kansas.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emil Lustig, alias Dr. Edward E. Fisher,

Petitioner,

1389 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Pouts, Virgil Summers and George C. Moran,

Petitioners,

1397 vs.

State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Thompson, Petitioner, vs. James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

1406

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Hamby, Petitioner, vs. People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1407

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Picarrotta, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

1408

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Healy, Petitioner,

1409 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Taylor, Petitioner,

1410 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Machul, Petitioner,

1411 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Rusnak, Petitioner,

1412 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank A. Quinn, Petitioner,

1413 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Egan, Petitioner,

1416 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Moore, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1424 — On petition for writ of certiorari to the Circuit Court of Madison County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Tenney, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1425 — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Santos Baronia, Petitioner, vs. People of the State of Illinois.

1426 — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nicholas Mysholowsky, Petitioner,

1429 vs.

The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emil Reck, Petitioner,

1433 vs.

The State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Peters, Petitioner,

1434 vs.

The State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Peters, Petitioner, vs. The State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1435

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nick Buck, Petitioner, vs. The State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1436

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nick Buck, Petitioner, vs. The State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1437

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn Ross Griffin, Petitioner,

1439 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court and Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carlos M. Lopez, Petitioner,

1440 vs.

Insular Police Commission, Composed of Mario-No Acosta Velarde, et al., Commissioners.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip Jordan, Petitioner,

1444 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Baker, Petitioner,

1449 vs.

L. F. Utecht, et al., as Agents for the State of Minnesota.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Franklin, Petitioner,

1453 vs.

Walter Wierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Lee Baldridge, Petitioner,

1454 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Madison County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick Flaherty, Petitioner, vs. The People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1455

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Kerbeck, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

1456

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

S. Aiken Campbell, Petitioner, vs. Nathan Mayo, as Custodian of the Florida State Prison. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

1461

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Herman Dykes,
Petitioner,
1463 vs.
Walter Miersheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Hubbard,
Petitioner,
1464 vs.
Gerald F. Bush, Warden of the State House of Correction and Michigan Branch Prison.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William G. Hayes,
Petitioner,
1465 vs.
Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Lee Baldridge, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1466 — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Schultz, Petitioner, vs. People of the State of Illinois.

1467 — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Clement Moore, Petitioner, vs. The United States of America.

1471 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester Skiba, Petitioner, vs. The State of Missouri. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

1474

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Caetano, Petitioner, vs. The People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

1475

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner, Petitioner, vs. The People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1491

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack McCormick,

Petitioner,

1593 vs.

State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Jack McCormick,

Petitioner.

145, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of the Disbarment of Hulon Capshaw.

No. ____.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Archie L. Maloyan,

Petitioner,

145, Misc. vs.

United States Congress.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

National Labor Relations Board,

Petitioner,

418 vs.

Jones & Laughlin Steel Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

National Labor Relations Board,

Petitioner,

419 vs.

E. C. Atkins and Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Oklahoma and Champlin Refining Company,

Petitioners,

715 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of New York,

Petitioner,

1237 vs.

The United States of America, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Wilson,

Petitioner,

1293 vs.

Joseph E. Ragen, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred L. Hawkins and Laurence I. Prout,

Petitioners,

1097 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

R. D. Reser,

Petitioner,

1219 vs.

Philip B. Fleming, Temporary Controls Administrator.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Texasteel Manufacturing Company, et al.,

Petitioners,

1226 vs.

Seaboard Surety Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George W. Armstrong, Sr., et al.,

Petitioners,

1227 vs.

Seaboard Surety Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James M. Curley,

Petitioner,

1211 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion the petition should be granted.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

Helen C. Calvert,

Petitioner,

144 vs.

Charles Henry Smith, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Borg-Warner Corporation and David E. Gamble,

Petitioners,

700 vs.

George I. Goodwin and John F. Daukus.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from today until Monday, June 21st, next, on which day it will adjourn for the term unless otherwise ordered.

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Proclamation being made the Court is adjourned until Monday, June 21st, next, at 12 o'clock.

MONDAY, JUNE 23, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Brooks Hays, It is ordered that Richard Mobley, Esquire, of Russellville, State of Arkansas, and Vincent J. Hargadon, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard M. Acher, It is ordered that Frederick Howard Wilder, Jr., Esquire, of Waltham, Commonwealth of Massachusetts, and John Murray Parker, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henderson H. Carson, It is ordered that Joseph R. Gorman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Frances Helen Scardefield, It is ordered that Louise Davis Holley, of Washington, District of Columbia; William T. Mam, Esquire, of Washington, District of Columbia; and Zulah Mayo Purvis, of Jackson, State of Mississippi, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs., Miss)

On motion first made to the Court in this behalf by Mr. Thomas D. McBride, It is ordered that David Berger, Esquire, of Philadelphia, Commonwealth of Pennsylvania; Paul A. Wolkin, Esquire, of Philadelphia, Commonwealth of Pennsylvania; and John W. Bohlen, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Reynolds Sands, It is ordered that James J. Moithan, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Mooers, It is ordered that George A. Meekison, Esquire, of Napoleon, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rufus Gilbert Poole, It is ordered that Noel A. Troy, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar Tremlett Fell, It is ordered that Frederick K. Arzt, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Roy Thompson, Jr., It is ordered that Ira Jack Rees, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph E. Boyd, It is ordered that Helen Marie Boyd, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Vincent A. Kleinfeld, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Cicero Wilson, It is ordered that Mary Catherine Barlow, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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The United States of America,
Appellant,
89 vs.
National Lead Company, Titan Company, Inc., E. I. Du Pont De Nemours and Company;

Appeals from the District Court of the United States for the Southern District of New York.

National Lead Company and Titan Company, Inc.,
Appellants,
90 vs.
The United States of America; and

E. I. Du Pont De Nemours and Company,
Appellant,
91 vs.
The United States of America.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed as indicated in the opinion of this Court.

IT IS FURTHER ORDERED that the motion of the United States to amend its assignments of error be, and the same is hereby, granted.

Per Mr. Justice Burton.

Mr. Justice Black and Mr. Justice Jackson took no part in the consideration or decision of this cause.

Opinion by Mr. Justice Douglas dissenting in part in which Mr. Justice Murphy and Mr. Justice Rutledge concur.

The United States of America, Petitioner, vs. Standard Oil Company of California and Ira Boone.

235

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California.

Per Mr. Justice Rutledge.

Mr. Justice Frankfurter concurs in the result.

Dissenting opinion by Mr. Justice Jackson.

The United States, Petitioner, vs. The Munsey Trust Company of Washington, D. C., Receiver.

847

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

John M. Pahey and A. V. Ammann, Individually and Respectively as Federal Home Loan Bank Commissioner and Conservator for the Long Beach Federal Savings and Loan Association,

Appellants,

687 vs.

Paul Mallonee, C. H. Newhouse, Winnie Bucklin, et al.

Appeal from the District Court of the United States for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Douglas concurs in the result.

Mr. Justice Rutledge concurs in the result and in the Court's opinion insofar as it rests upon the ground that the controlling statute, Sec. 5(d) of the Home Owners' Loan Act of 1933, is not unconstitutional.

John M. Pahey and A. V. Ammann,
Individually and Respectively as
Federal and Home Loan Bank Commissioner
and Conservator for the Long Beach
Federal Savings and Loan Association,

Petitioners,

133, Misc. vs.

Honorable Peirson M. Hall, Judge, etc.,
et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus and/or prohibition and/or injunction in the above entitled cause and of the return to the rule to show cause,

IT IS ORDERED by this Court that the said motion for leave to file be, and the same is hereby, denied and the rule to show cause is discharged.

Per Mr. Justice Jackson.

Joseph S. Fay,

Petitioner,

377 vs.

The People of the State of New York;
and

On writs of certiorari to the Court of Appeals of the State of New York.

James Bove,

Petitioner,

452 vs.

The People of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black, Mr. Justice Douglas and Mr. Justice Rutledge join.

Securities and Exchange Commission, Petitioner, vs. Chenery Corporation, et al.; and — On writs of certiorari to the United States Court of Appeals for the District of Columbia.

81

Securities and Exchange Commission, Petitioner, vs. Federal Water and Gas Corporation.

82

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of these cases.

Mr. Justice Burton concurs in the result.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The United States of America, Appellant, vs. Yellow Cab Company, Chicago Yellow Cab Company, Inc., Parmelee Transportation Company, et al. — Appeal from the District Court of the United States for the Northern District of Illinois.

1035

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and

the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Mr. Justice Black and Mr. Justice Rutledge agree with Parts I and II of the opinion of this Court but dissent from the holding in Part III.

Mr. Justice Burton concurs in Part III of the opinion. However, he believes that the complaint as a whole fails to state a cause of action and that, therefore, the judgment of the District Court dismissing it should be affirmed.

Theodore Martin Sunal, Petitioner,

vs.

David R. Large, Superintendent, Federal Prison Camp, Mill Point, W. Va.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

535

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of West Virginia.

Per Mr. Justice Douglas.

Mr. Justice Burton concurs in the result.

Dissenting opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

Myrl Alexander, Warden, Petitioner, vs. United States, ex rel. John Myron Kulick.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

840

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Connecticut for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Burton concurs in the result.

Dissenting opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

Nolson Foster and George Payne, Petitioners, vs. The People of the State of Illinois.

On writ of certiorari to the Supreme Court of the State of Illinois.

540

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas, Mr. Justice Murphy and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy join.

Marvin Gayes,

Petitioner,

405 vs.

The State of New York.

On writ of certiorari to the County Court of Monroe County, State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the County Court of Monroe County, State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said County Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Frankfurter.

Mr. Justice Burton concurs in the result.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Douglas and Mr. Justice Murphy concur.

Peter Caldarola,

Petitioner,

625 vs.

Gerda Eckert and Thor Eckert, Jr., Partners, Doing Business Under the Firm Name of Thor Eckert & Co.

On writ of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Murphy concur.

Dissenting opinion by Mr. Justice Rutledge.

Atlantic Coast Line Railroad Company, Appellant, vs. Glenn S. Phillips, State Revenue Commissioner of the State of Georgia. — Appeal from the Supreme Court of the State of Georgia.

385

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Mr. Justice Rutledge concurs in the result.

Admiral Dewey Adamson, Appellant, vs. People of the State of California. — Appeal from the Supreme Court of the State of California.

102

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

Roy Bartels, Ed Bartels, Carl Bartels and Justin Conlon, d.b.a. Crystal Ballroom, Petitioners, vs. E. H. Birmingham, Individually and as Collector of Internal Revenue for the State of Iowa, Griff Williams, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

731

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs and that of the District Court affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Iowa.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Murphy concur.

Larry V. Geer and Margaret Geer, d.b.a. Larry Geer Ballrooms,

Petitioners,

732 vs.

E. H. Birmingham, Individually and as Collector of Internal Revenue for the State of Iowa.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs and that of the District Court affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Iowa.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Murphy concur.

The United States of America,

Appellant,

954 vs.

James C. Petrillo.

Appeal from the District Court of the United States for the Northern District of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Murphy and Mr. Justice Rutledge join.

The United States of America,

Complainant,

12, Original vs.

The State of California.

THIS CAUSE came on to be heard on the pleadings and briefs filed by the parties and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the United States is entitled to the relief prayed for in the complaint. The parties, or either of them, may, before September 15, 1947, submit the form of decree to carry the opinion of this Court into effect, failing which the Court will prepare and enter an appropriate decree at the next term of Court.

Per Mr. Justice Black.

Mr. Justice Jackson took no part in the consideration or decision of this case.

Dissenting opinion by Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter.

The Chief Justice announced the following order of the Court:

Herman Greenberg, Appellant, vs. The People of the State of California. Appeal from the District Court of Appeal of the State of California, 2nd Appellate District.

466

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, 2nd Appellate District, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

ORDER

IT IS ORDERED BY THIS COURT that the Librarian and the Associate Librarian of this Court shall furnish bonds with good and sufficient sureties, to be approved by the Chief Justice, in the amounts of $10,000 and $5,000, respectively, in favor of the United States of America and/or the Marshal of the Supreme Court of the United States, conditioned for the faithful performance of their duties as such Librarian and Associate Librarian, including the certification for payment by the Marshal of this Court of vouchers covering expenses incurred and purchases made by them, or either of them, in their official capacities.

The bonds required by this order, when approved as provided herein, shall be deposited with the Clerk of this Court for safe keeping.

Per Mr. Chief Justice Vinson.

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Murray Winters,

Appellant,

33 vs.

The People of the State of New York.

This case is ordered restored to the docket and assigned for re-argument. In addition to questions heretofore briefed and argued counsel are requested to discuss in their briefs and on oral argument the following:

1. Is subsection 2 of Section 1141 of the New York Penal Code, as construed by the Court of Appeals, compatible with the Fourteenth Amendment?

2. In view of such construction, assuming the answer to the first question is in the affirmative, was the conviction herein compatible with the Fourteenth Amendment, considering the state of the law to have been what it was at the time that the acts were committed for which the conviction was had.

3. In view of the construction herein given by the Court of Appeals to subsection 2 of Section 1141 of the New York Penal Code, what was the law, binding upon this Court, which governed the acts for which the conviction herein was had? Was the conviction under such controlling law, as applied to this defendant at that time, compatible with the Fourteenth Amendment?

Per Mr. Chief Justice Vinson.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

934 vs.

Uebersee Finanz-Korporation, A. G.

This case is ordered restored to the docket and assigned for re-argument.

Per Mr. Justice Black.

The Chief Justice did not participate in the action of the Court in this case.

Silesian American Corporation, Debtor,
and Silesian Holding Company,

Petitioners,

346 vs.

Tom C. Clark, Attorney General, as
Successor to the Alien Property Custodian.

This case is ordered restored to the docket and assigned for re-argument immediately following the hearing of No. 954.

Per Mr. Justice Black.

The Chief Justice did not participate in the action of the Court in this case.

Jacob Lichter and Jennie L. Lichter,
Individually and as Co-Partners Doing
Business as Southern Fireproofing
Company, a Co-Partnership,

Petitioners,

1427 vs.

The United States of America.

This case is removed from the summary docket and is assigned for argument immediately preceding the hearing of Nos. 1295 and 1391.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion of the State of New Jersey for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian B. Everett,

Petitioner,

300 vs.

Wallis W. Downing.

ON CONSIDERATION of the application of the petitioner for reconsideration of the order denying leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

I. H. Spears,

Appellant,

1286 vs.

Eva Mae Spears; and

I. H. Spears,

Appellant,

1370 vs.

Eva Mae Spears.

ON CONSIDERATION of the motion of the appellant for an extension of time within which to file a petition for rehearing in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

1348 vs.

Paramount Pictures, Inc., et al.;

Loew's Incorporated, et al.,

Appellants,

1349 vs.

The United States of America;

Paramount Pictures, Inc., et al.,

Appellants,

1350 vs.

The United States of America;

Columbia Pictures Corporation, et al.,

Appellants,

1351 vs.

The United States of America;

United Artists Corporation,

Appellant,

1352 vs.

The United States of America; and

Universal Pictures Company, Inc., etc., et al.,

Appellants,

1353 vs.

The United States of America.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted. Further consideration of the motion of American Theatres Association and others for leave to intervene is postponed to the hearing of the cases on the merits.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this order.

American Theatres Association, Inc., et al.,

Appellants,

1354 vs.

The United States of America, et al.; and

W. C. Allred, et al.,

Appellants,

1355 vs.

The United States of America, et al.

The statements of jurisdiction in these cases having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the cases on the merits.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this order.

J. D. Shelley, Ethel Lee Shelley, His Wife, and Josephine Fitzgerald, — Order allowing certiorari.

Petitioners,

1268 vs.

Louis Kraemer and Fern Kraemer, His Wife.

The petition herein for a writ of certiorari to the Supreme Court of the State of Missouri is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

Orsel McGhee and Minnie S. McGhee, His Wife, — Order allowing certiorari.

Petitioners,

1365 vs.

Benjamin J. Sipes and Anna C. Sipes, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Michigan is granted, and the case is assigned for hearing immediately following the argument in No. 1260, Shelley vs. Kraemer.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

The United States of America, — Order allowing certiorari.

Petitioner,

1402 vs.

Philip Fried, George Neary, Benjamin Fried and Samuel Birnbaum.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted. Counsel are requested to give special consideration in their briefs and on oral argument whether the time for making application for certiorari in this case is governed by Rule 37 (b) (2) of the Rules of Criminal Procedure.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Homer C. Price,

Petitioner,

1448 vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Homer C. Price, Order allowing certiorari.

Petitioner,

1448 vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Eddie (Buster) Patton,

Petitioner,

1476 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Eddie (Buster) Patton, Order allowing certiorari.

Petitioner,

1476 vs.

State of Mississippi.

The petition herein for a writ of certiorari to the Supreme Court of the State of Mississippi is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Eddie (Buster) Patton,

Petitioner,

1476 vs.

State of Mississippi.

IT IS ORDERED by this Court that the execution of the death sentence imposed by the Circuit Court of Lauderdale County, Mississippi, and affirmed by the Supreme Court of Mississippi, be, and it is hereby, stayed pending the final disposition of the case in this Court.

Per Mr. Chief Justice Vinson.

Victor Lagow, On petition for writ of certiorari to

Petitioner, the United States Circuit Court of

1222 vs. Appeals for the Second Circuit.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

1084

Willy Fried and George Neary,
Petitioners,
vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1231

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
vs.
James M. Hearne.

On petition for writ of certiorari to The Court of Claims.

1306

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Helen A. DeGuire, as Executrix of the Last Will and Testament of George N. DeGuire, Deceased,
Petitioner,
vs.
Joseph T. Higgins, Collector of Internal Revenue of the United States for the Third District of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1339

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Protective Committee for Bonds of Old Colony Railroad Company,

Petitioner,

vs.

New York, New Haven & Hartford Railroad Company, Debtor, et al.

1368

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Institutional Group for Boston Terminal Bonds,

Petitioner,

vs.

New York, New Haven & Hartford Railroad Company, Debtor, et al.

1369

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sidney R. Newman,

Petitioner,

vs.

Commissioner of Internal Revenue.

1385

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. G. Collins and Nola Z. Collins, Petitioner,

1415 vs.

The United States of America and Emma Lee Collins, Now McCrummen.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

D. M. Picton & Co., Inc., Petitioner,

1420 vs.

W. K. Eastes, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Borg-Warner Corporation and David E. Gamble, Petitioners,

1443 vs.

George I. Goodwin and John P. Daukus.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Consumers Home Equipment Company and Avery B. Chereton,

Petitioners,

1462 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Cecil Wilson,

Petitioner,

1470 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian Bleweiss Smith,

Petitioner,

1058 vs.

Commercial Travelers Mutual Accident Association of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion that the petition should be granted.

Robert B. Harris, Petitioner,

1396 vs.

The State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph P. Counselman, Petitioner,

1404 vs.

Earl W. Clark, Director Liquidation Division, Department of Commerce.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Jordan, Petitioner,

638 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court, Tompkins County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Peterson, Formerly Jan Francis Sarazzawski,

Petitioner,

vs.

1166

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bert Charles Bowker,

Petitioner,

vs.

1367

Walter A. Hunter, Warden of the United States Penitentiary, Leavenworth, Kansas.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Ryan,

Petitioner,

vs.

1483

The People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Spencer, Petitioner, vs. The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

1484

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rudolph Pisani, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

1485

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Al Gavalis, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

1492

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Darrell Lyons, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1493

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Woodward, Petitioner, vs. Walter Miersheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

1494

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ramon Romino, Petitioner, vs. The United States of America.

1495

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calvin Smith, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1497 — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Wright, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

1498 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small, Petitioner, vs. People of the State of New York.

1507 — On petition for writ of certiorari to the Court of General Sessions, County of New York, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry A. Swanson,

Petitioner,

1508 vs.

State of Nebraska.

On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Borg-Warner Corporation and David E. Gamble,

Petitioners,

700 vs.

George I. Goodwin and John F. Dawkins.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bessie Higgins,

Petitioner,

1177 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Campiglia,

Petitioner,

1365 vs.

State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis X. Gomila,

Petitioner,

1282 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Okonite Company,

Petitioner,

501 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael J. Quinn,

Petitioner,

741 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted, and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter E. Meyer, Intervenor,

Petitioner,

909 vs.

Berryman Henwood, as Trustee of St. Louis Southwestern Railway Company Lines, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

Mill Packing Company,

Appellant,

940 vs.

The City of New York, William O'Dwyer, Mayor of the City of New York, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Adolph Starr,

Petitioner,

1189 vs.

State Board of Law Examiners for the State of Indiana and the Supreme Court of Indiana.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Donald Wakefield Smith,

Petitioner,

1235 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion the petition for rehearing should be granted.

Mr. Justice Frankfurter took no part in the consideration or decision of this application.

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American Stevedores, Inc.,

Petitioner,

69 vs.

Rosario Porello and The United States of America.

IT IS ORDERED that the last sentence on page 4 of the opinion in this case be amended to read as follows: "It is true, as petitioner points out, that the proponent of the bill in the House, Mr. Underhill, said, when the bill was introduced: 'The bill I have introduced simply allows suits in admiralty to be brought by owners of vessels whose property has been damaged by collision or other fault of Government vessels and Government agents.'"

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Mr. Acting Solicitor General Washington said:

"May it please the Court:

"It is the custom and tradition for the members of the bar and the officers of this Court to record, in resolutions prepared and adopted by a representative committee, their high consideration for members of this Court who have been removed by death from service with the Court or from retirement after service. Such resolutions are then presented to the Court, with the prayer that they be made a part of its permanent record.

"The death of Chief Justice Stone occurred on April 22, 1946. Mr. Justice McReynolds died on August 24, 1946. If it please the Court, it is the desire of the Department of Justice to take the initiative in calling upon the bar and officers of this Court to participate in memorial meetings for these two departed members of the Court. It is our hope that--with the approval of the Court--the memorial meetings may be held shortly after the Court convenes for the October Term of 1947."

The Chief Justice responded:

"The Court will receive the resolutions."

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ORDER

It is ordered, on this 23d day of June, 1947, that General Orders No. 1, 10, 15, 24, 26, 27, 35 (4), 46, 50 (12) and 56, and Forms in Bankruptcy No. 1, 12, 15, 17, 46, 47, 59, 70, 71, and 72 be, and they are hereby, amended and established to read as hereinafter set forth.

It is further ordered that this order shall take effect on Tuesday, July 1, 1947, and shall govern all proceedings then pending to which its provisions are applicable except to the extent that in the opinion of the Court its application to such proceedings would not be practicable or work injustice, in which event the General Orders and Forms in Bankruptcy heretofore established shall apply.

AMENDMENTS OF GENERAL ORDERS IN BANKRUPTCY AND THE OFFICIAL FORMS

ORDER

IT IS ORDERED, on this 23d day of June, 1947, that General Orders Nos. 1, 10, 13, 24, 26, 27, 35 (4), 46, 50 (12) and 56 and Forms in Bankruptcy Nos. 1, 12, 15, 17, 46, 47, 59, 70, 71, and 72 be, and they are hereby, amended and established to read as hereinafter set forth.

IT IS FURTHER ORDERED that this order shall take effect on Tuesday, July 1, 1947, and shall govern all proceedings then pending to which its provisions are applicable except to the extent that in the opinion of the court its application to such proceedings would not be practicable or work injustice, in which event the General Orders and Forms in Bankruptcy heretofore established shall apply.

GENERAL ORDER No. 1

DOCKETS

The clerk shall keep a docket, in which the cases shall be entered and numbered in the order in which they are commenced. It shall contain a memorandum of the filing of the petition and of the action of the court thereon; of the reference of the case, if any reference is made, to the referee; of the transmission by the referee to the clerk of all bonds, orders and reports, and of the referee's certified record of the proceedings; and of all proceedings in the case except those duly entered on the referee's docket. The clerk's docket shall be arranged in a manner convenient for reference, and shall at all times be open

to public inspection. If the proceeding is brought under sections 75 or 77, or under Chapters IX, X, XI, XII, or XIII, of the Act, the docket shall so indicate.

The referee, in all cases referred to him shall keep a docket of all proceedings before him substantially in the manner indicated by Form No. 70. Such docket shall at all times be open to public inspection. The original referee's docket or a certified copy thereof shall be transmitted to the clerk for preservation by him when the case is closed.

General Order 10

Indemnity for Expenses

Before incurring any expense in procuring the attendance of witnesses or in perpetuating testimony, the clerk, marshal, or referee may require, from the bankrupt, debtor, or other person in whose behalf the duty is to be performed, indemnity for such expense. Money advanced for this purpose by the bankrupt, debtor, or other person shall be repaid him out of the estate as part of the cost of administering the same.

General Order 13

Appointment and Removal of Trustee

(Abrogated, Feb. 13, 1939, 305 U. S. following p. 676)

General Order 24

List of Proved Claims and Interests

The person with whom proofs of claim or of interest are filed shall maintain open to inspection a list of the claims and interests proved against the estate, with the names and addresses of the owners thereof, as given by them. The list of claims or of interests shall be maintained substantially in the manner indicated by Form

No. 71. The original list or a certified copy thereof shall be transmitted to the clerk for preservation by him when the case is closed.

GENERAL ORDER 26

ACCOUNTS OF REFEREE

Every referee shall maintain, substantially in the manner indicated by Form No. 46, a cash book or a record in which he shall keep an accurate and itemized account showing (1) all moneys received by him in his official capacity as referee in bankruptcy and the case number of the proceeding to which each receipt is credited; and (2) the disposition made of such moneys, showing the case number of the proceeding, if any, on account of which each sum is disbursed. All moneys received as aforesaid shall be deposited forthwith to the credit of the referee in his official capacity in a depository designated by the court for the purpose, and shall be disbursed only by checks signed by the referee in his official capacity. Within thirty days after the expiration of each six months period ending June thirtieth and December thirty-first of each year, each referee shall submit to the district court a report substantially in the manner indicated by Form No. 47 containing (1) a financial statement showing all moneys received and disbursed in his official capacity as referee in bankruptcy during the period covered by the report; (2) an analysis of the unexpended balance in his official account at the end of the period; (3) a statement showing the number of cases handled during the period; and (4) a list of the proceedings referred to him which have remained open for more than eighteen months, giving the reasons in each instance why they have not been closed. The statements so submitted shall be in duplicate and verified; and one copy shall be transmitted by the clerk, forthwith upon its receipt, to the Administrative Office of the United States Courts.

GENERAL ORDER 27

REVIEW BY JUDGE

(Abrogated, Feb. 13, 1939, 305 U. S. following p. 676)

GENERAL ORDER 35

PARAGRAPH 4

(4) The petition in a voluntary proceeding under Chapters I to VII or Chapter XIII of the Act may be accepted for filing by the clerk if accompanied by a verified petition of the bankrupt or debtor stating that the petitioner is without and cannot obtain the money with which to pay the filing fees in full at the time of filing. Such petition shall state the facts showing the necessity for the payment of the filing fees in installments and shall set forth the terms upon which the petitioner proposes to pay the filing fees.

a. At the first meeting of creditors or any adjournment thereof, the court after hearing and examination of the bankrupt or debtor, shall enter an order fixing the amount and date of payment of such installments. The final installment shall be payable not more than six months after the date of filing of the original petition; provided, however, that for cause shown the court may extend the time of payment of any installment for a period not to exceed three months.

b. Upon the failure of a bankrupt or debtor to pay any installment as ordered, the court may dismiss the proceeding for failure to pay costs as provided in Section 59g of the Act. If a proceeding is dismissed or closed without the payment of the filing fees in full, the amount collected in installments, including any payment made at the time the original petition is filed, shall be divided between the clerk, the referees' salary fund, the referees' expense fund and the trustee, if any,

in the same proportion as such filing fees would be distributed if paid in full.

c. No proceedings upon the discharge of a bankrupt or debtor shall be instituted until the filing fees are paid in full.

GENERAL ORDER 46

BANKING INSTITUTION AS CUSTODIAN, RECEIVER OR TRUSTEE

(Abrogated, Feb. 13, 1939, 305 U. S. following p. 676)

GENERAL ORDER 50

PARAGRAPH 12

PROCEEDINGS UNDER SECTION 75 OF THE ACT

(12) The twenty-five dollar fees of the conciliation commissioner, and the fees and expenses of the supervisory conciliation commissioner, shall be payable out of appropriated funds in accordance with such instructions as may be issued from time to time by the Director of the Administrative Office of the United States Courts.

GENERAL ORDER 56

RULES BY COURTS OF BANKRUPTCY

Each court of bankruptcy, by action of a majority of the judges thereof, may from time to time make and amend rules governing its practice in proceedings under the Act not inconsistent with the Act or with these general orders. Copies of rules and amendments so made by any court of bankruptcy shall, upon their promulgation, be furnished to the Supreme Court of the United States and the Administrative Office of the United States Courts.

AMENDMENTS OF FORMS IN BANKRUPTCY

Form No. 1

Schedule B–4 re Attorney's Fees

Amounts Paid to Attorney

Sum or sums paid to counsel, and to whom, for filing fees or costs and for services rendered or to be rendered in this bankruptcy .....

Form No. 12

Appointment and Oath of Appraiser

....., of ....., a disinterested person, is hereby appointed appraiser, forthwith to appraise, after having been duly sworn, all the items of real and personal property belonging to the estate of said bankrupt, and to prepare and file with the court a report of said appraisal.

[Here set out the amount of compensation or the rate or measure thereof to be paid and such instructions as may be deemed appropriate for the appraisal of the property of the particular estate.]

Dated at ....., this ..... day of ....., 19...

....,
Referee in Bankruptcy.

United States of America }
..... District of .... } ss.

I, ..., the person above named, do hereby make solemn oath that I will fully and fairly appraise the aforesaid property according to my best skill and judgment.

.....

Subscribed and sworn to before me this ....., day of ...., 19...

....,
.....
[*Official character.*]

FORM No 15

OATH OF OFFICE FOR REFEREES IN BANKRUPTCY

I, ..., do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ....., according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

....

Subscribed and sworn to (or affirmed) before me this ..... day of ....., 19...

....,
....

FORM No. 17

NOTICE OF FIRST MEETING OF CREDITORS

(Caption as in Form No 1)

To the creditors of ...., of ....., a bankrupt:

Notice is hereby given that said .... has been duly adjudged a bankrupt on a petition filed by [or against] him on ....., 19.., and that the first meeting of his creditors will be held at ....., in ....., on ....., 19.., at .. o'clock ... m., at which place and time the said creditors may attend, prove their claims, appoint a trustee, appoint a committee of creditors, examine the bankrupt, and transact such other business as may properly come before said meeting.

Dated at ....., ..., 19...

....,
Referee in Bankruptcy.

Form No. 64

Referee's Cash Book

Receipts							Disbursements									
Date	Title of Case and Case No.	From Whom Received	Indemnity for Witnesses and Testimony	Moneys Collected for Clerk	Moneys Held in Trust	Misc. Receipts	Date	Payee	Check No.	Title of Case and Case No.	Witnesses	Testimony	Moneys Disbursed to Clerk	Refunds	Moneys Held in Trust	Misc. Disbursements
Amounts brought forward							Amounts brought forward									
Amounts carried forward							Amounts carried forward									

FORM No. 15

OATH OF OFFICE FOR REFEREES IN BANKRUPTCY

I, ..., do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ....., according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

....

Subscribed and sworn to (or affirmed) before me this ..... day of ....., 19...

....,
.....

FORM No. 17

NOTICE OF FIRST MEETING OF CREDITORS

(Caption as in Form No. 1)

To the creditors of ...., of ....., a bankrupt:

Notice is hereby given that said .... has been duly adjudged a bankrupt on a petition filed by [or against] him on ....., 19.., and that the first meeting of his creditors will be held at ....., in ....., on ....., 19.., at .. o'clock ... m., at which place and time the said creditors may attend, prove their claims, appoint a trustee, appoint a committee of creditors, examine the bankrupt, and transact such other business as may properly come before said meeting.

Dated at ....., ..., 19...

....,
Referee in Bankruptcy.

Form No 46

Receiver's Cash Book

Date	Title of Case and Case No	From Whom Received	Indemnities re Warrants and Fees Bonds	Miscellaneous Receipts	Moneys Paid in Trust	Misc Receipts	Date	Payee	Check No	Title of Case and Case No	Withdrawals	Trust money	Moneys Paid Interest to Clerk	Re-funds	Moneys Paid in Trust	Misc Disbursements
		Amounts brought forward						Amounts brought forward								
		Amounts carried forward						Amounts carried forward								

FORM NO. 47

REFEREE'S SEMI-ANNUAL REPORT

In the District Court of the United States

..... District of .....

To the Honorable .....Judge of said court:

I, ..., Referee in Bankruptcy of said court, beg to submit herewith, in duplicate, my report in compliance with General Order No. 26 of the Supreme Court, covering the period from ..... to ....., inclusive.

Attached hereto and made a part of this report are the following exhibits:

1. A financial statement showing all moneys received and disbursed during the period covered by this report.

2. An analysis of the unexpended balance in my official account at the end of the period.

3. Statement of the number of cases handled during the period.

4. A list of proceedings referred to me which have remained open for more than eighteen months, giving the reason in each instance why they have not been closed.

Respectfully submitted, this ..... day of ....., 19...

....

State of .....}
County of.....} ss.

Before me, the undersigned authority, on this day personally appeared ...., known to me to be the person whose name is subscribed to the foregoing instrument, who after being sworn by me, upon his oath states that the statements contained in the foregoing instrument, and all exhibits thereto attached, are true and correct, to the best of his knowledge and belief.

....

Subscribed and sworn to before me by ...., this the ..... day of ....., 19...

....

FORM NO. 59

NOTICE OF MEETING OF CREDITORS IN PROCEEDINGS UNDER CHAPTER XIII

To the creditors of ...., of .....:

Notice is hereby given that on ....., 19.., the said .... filed a petition in this court stating that he desires to effect a composition or an extension of time to pay his debts out of his future earnings in accordance with the provisions of chapter XIII of the Bankruptcy Act; and that a meeting of his creditors will be held at ....., in ..... on ....., 19.., at .. o'clock ... m., at which place and time the said debtor shall submit his plan for a composition or extension, and the said creditors may attend, prove their claims, examine the debtor, present written acceptances of the plan proposed by him, and transact such other business as may properly come before said meeting.

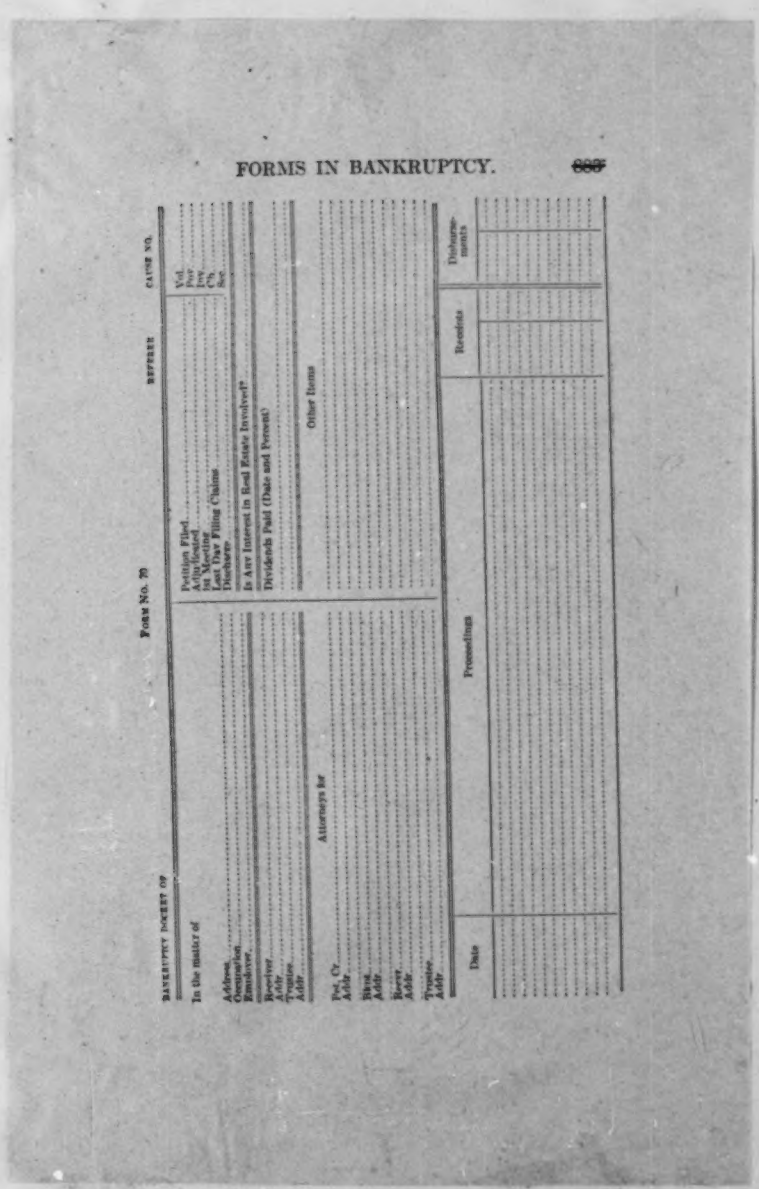
[If appropriate, the following may be added]

Notice is also hereby given that the application to confirm said plan shall be filed with this court on or before ....., 19..; and that the hearing on the confirmation and objections thereto, if any, will be held at .....in ....., on ....., 19.., at ...m

Dated this ..... day of ....., 19...

.....,

Referee in Bankruptcy.



BANKRUPTCY DOCKET OF — Form No. 70 — REFEREE — CAUSE NO.

In the matter of

Address
Occupation
Employer

Receiver
Address
Trustee
Addr

Petition Filed
Adjudicated
1st Meeting
Last Day Filing Claims
Disclosure
Is Any Interest in Real Estate Involved?
Dividends Paid (Date and Percent)

Other Items

Attorneys for

Pet. Cr.
Addr
Bkrt.
Addr
Receiver
Addr
Trustee
Addr

Vol. Page Dkt. Pg. No.

Date	Proceedings	Receipts	Disbursements

FORM No. 71

REFEREE'S CLAIM REGISTER IN ..... CAUSE NO. .....

Date Filed	No.	Name and Address of Claimant and Attorney	Amount Filed and Allowed	Remarks
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	
			Filed	
			Allowed	

FORM No. 72

ORDER ALLOWING CLAIMS

At ..... in said district on ....., 19..

Upon the proofs of claim of the creditors hereinafter set out, duly filed herein, no objection having been filed to the allowance thereof by parties in interest, and it appearing that the said claims have been duly proven and should be allowed, and no adverse interest being represented, now it is ORDERED that said claims be and the same hereby are allowed as unsecured claims in the respective sums set opposite the several names, as follows, to wit:

..... $.....
..... $.....
..... $.....
..... $.....
..... $.....

....
Referee in Bankruptcy.

- - - - - - - - - - - - -

The Chief Justice announced the following order:

"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

IT IS ORDERED by this Court that all cases on the docket be, and they hereby are, continued to the next term."

- - - - - - - - - - - - - -